Exclusively Irish?

The Motivation for Immigration Control in the Free State

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Declaration

None of the material contained in this thesis has been used previously in submission for another degree, or in publications. The thesis is solely my own work. It has not been submitted for a degree at another university.

Abstract

This thesis investigates the motivations and underpinnings of Irish immigration controls in the early twentieth century. The broader empirical and theoretical literature suggest that states develop immigration controls for particular domestic needs - the protection of the national population from the intrusion of outsiders. The thesis establishes that the controls introduced in the Irish Free State in 1935 were unusual in that they appear not to have addressed a specific need for to manage immigration to the Free State. They instead replicated other controls previously introduced in the United Kingdom, a state with rather different national circumstances, and from which the Irish Free State had seceded in 1922.

The research approach developed for this study is an interdisciplinary methodology of historical sociology. Because of the necessary focus on the roles of structure and agency in the process of shaping Irish immigration controls, realist social theory is adopted as the macro-level social theory used to make historical particulars generalizable. Through a narrative case study method shaped by this methodology, the thesis examines the development of Irish immigration controls. It finds that the interaction between the particular political, economic and cultural contexts of the Irish Free State shaped the process of developing immigration controls. Nationalist politics undoubtedly played a role in their evolution, but in a very different way than suggested by the empirical theoretical literature. Immigration controls are not always about immigration.

Abbreviations

AEPs	Agential Emergent Properties
CAB	Cabinet
CEPs	Cultural Emergent Properties
DFA	Department of Foreign Affairs
DO	Dominions Office
HO	Home Office
IFS	Irish Free State
ISC	Irish Situation Committee
NAI	National Archives of Ireland
NAUK	United Kingdom National Archives
SEPs	Structural Emergent Properties

Introduction to Thesis

This thesis has its origins in a research essay set almost ten years ago in a Masters course by Danièle Joly, a course tutor who has since become my doctorate supervisor. The challenge to identify and explain the underpinnings of immigration policy in a country of my choice (in my case, Ireland) I found could not be properly addressed within the confines of a six-week turnaround for a five thousand word essay! The question unanswered, this led in turn to my further exploring the issues for my Masters thesis. However, still not satisfied that my investigation was complete, and that an adequate explanation had been provided, I took up the question once again in this doctoral thesis.

My dissatisfaction arose from my inability to date to adequately explain why Irish immigration controls were constructed in a similar way to British controls. The first immigration controls in Ireland were introduced in 1935 under the Irish Free State government, in the relatively early days of modern Irish self-governance and independence from Britain. Ireland's history was shaped by its lengthy struggle for independence from Britain, which drove much of Irish politics through the nineteenth and early twentieth centuries. In the 1930s, the Irish Government was embarking on a series of initiatives to develop further operational independence from Britain, which culminated in the new Constitution in 1937.

Yet within this push for greater independence, the same Government introduced a set of immigration controls that were, to all intents and purposes, identical (at least in practice) to those controls operational in Britain, that had previously been introduced in Ireland when under British rule. The only apparent changes in the legislation were to update the immigration controls to reflect the new administrative reality of the Irish Free State. I could not square this circle – why were these British immigration controls reproduced in a self-governing Irish Free State, apparently against the pattern of the 1930s Irish legislative drive for independence?

My masters thesis had investigated a potential post-colonial model of immigration controls, and found that the 1935 Irish Free State controls were not similar to those of other Dominions, but rather, had more in common with former British colonies, such as India, Barbados, and Jamaica. This was empirically interesting, and in my thesis I put forward a post-colonial explanation of mimicry and imitation between colony and empire for the similarity between these controls and those of Britain. However, the issue still niggled. Ireland does not have much in common with these other countries, apart from a shared colonial history. Although geographically peripheral, Ireland is a European nation, and arguably shares a path of historical and cultural development more in common with other European states than with far-flung British colonies, whose geographical distance from Ireland would have rendered commonalities more unlikely.

In short, I was relying on a structural experience of colonisation to explain Irish immigration controls, denying the possibility of much significant input and influence from Irish people and politicians themselves. I felt that I had not yet found a satisfactory sociological explanation for the correlation.

So once again, I embarked on an investigation to uncover the rationale for this problem. What *were* the underpinnings of Irish immigration controls? I began by reviewing the general theoretical literature on immigration controls, which proposed an assumed connection between the construction of such controls, and a nationalist ideology of inclusion to and exclusion from the nation. The introduction of immigration controls, it was argued, followed the development of ideas of nationhood in the eighteenth and nineteenth centuries. The concept of a nation, an 'imagined community' in Anderson's phrase, requires an external 'Other' for self-definition – those who are not part of the nation. It is these outsiders who immigration controls are directed against, to protect the nation from the intrusion of external aliens. The empirical examples of immigration controls discussed in the literature seemed to support this assumption. This theoretical explanation, however, would not do for the immigration controls in the Irish Free State. In imitating the immigration controls of another country, its controls clearly were not developed with the main purpose of protecting an Irish nation from strangers.

The research problem of this thesis begins here – an established sociological explanation for immigration controls does not fit an empirical

example. The thesis' aim is to explain why this is so. The investigation demonstrates that particular conditions of the Irish Free State *do* explain how and why its immigration controls were so developed. These conditions are linked to Irish nationalism, but nationalism does not have the same type of influence on the shaping of Irish immigration controls as is assumed by the existing sociological literature. Rather, the geo-political structure of the Irish Free State – a state within, but not matching, the perceived boundaries of the nation – and the interaction of this structural constraint with Irish nationalism and nationalist politicians, led to the development of Irish immigration controls that were unusually detached from an objective of controlling immigration. Moreover, the economic challenges facing the Free State Government in the 1930s, and the high numbers of emigrants leaving Ireland, resulted in a further need to maintain rights for prospective Irish emigrants to settle elsewhere. The thesis demonstrates that immigration controls are not always concerned with immigration. In particular circumstances, the struggles for political and economic independence and nation state formation can take precedence over any perceived need of managing access to the nation's territory.

Chapter One establishes the empirical precedents for immigration controls in the 1930s, from which the controls of the Irish Free State seemed to deviate. In so doing, it surveys the development of immigration controls in Britain, the Dominions of the British Empire (Canada, Australia and New Zealand), and briefly in the United States, France and Germany.

A clear trend of restrictive immigration controls, designed to exclude certain groups from the nation state's territory, is demonstrated. The chapter also develops the theoretical investigation of explanations for immigration controls. It finds that the assumption that immigration controls are motivated by nationalist tendencies of exclusion from the nation state appears to be valid for these early twentieth century examples. A brief overview of Irish nationalist politics is then provided, to demonstrate that such a link cannot explain the formation of Irish immigration controls.

Having thus established the focus for the thesis, the following three chapters focus on developing the methodological scope and research methods for the problem in hand. The research problem is a sociological investigation of an aberrant historical example. Chapter Two investigates whether and how sociological and historical disciplines can be combined in applied research. The historical foundations of the sociological discipline are first discussed, reviewing the use of historical analysis in classical social theory. The chapter then reviews how history and sociology can be used to best effect in contemporary research. It proposes the interdisciplinary approach of historical sociology, which uses sociological theory to draw out generalizable findings from the specificities of historical analysis.

Chapter Three then discusses the sociological macro-theory which can be used to structure the historical research in the thesis. As the research problem is concerned with social activity over time and with an

explanation for the development of Irish immigration controls, an approach that enables a study of the interaction between structure and agency and their relative influences on social change, is proposed. Realist social theory, which stratifies the social world so that structure and agency can be analysed independently is established as a valuable theoretical framework for the thesis. Archer's specific realist model of morphogenetic cycles is suggested, as its temporal analysis of social change makes it particularly apposite for the examination of historical and causal processes.

Chapter Four, the final methodological chapter, then identifies and discusses the potential for case study methods as a specific research tool in this thesis. Case study methods are proposed both for the most appropriate presentation of the Irish Free State as a deviant case within a wider category of immigration controls, and also for the methodological match between case studies, morphogenetic research, and historical and sociological approaches. A narrative approach is further proposed for this case study, which also provides a fit between the case study, the morphogenetic methodology, and the historical sociological discipline.

Chapters Five, Six and Seven address the research and analysis of the thesis. Chapter Five establishes the first phase of the morphogenetic cycle – the prior structural conditioning of social agency. It explains the background to the relevant structural and cultural conditions at the time of developing the 1935 Aliens Act, and also identifies the key agents

involved in the Act's development, and their particular structural and cultural contexts.

The Irish Free State was created in 1922 after a long and at times, bloody, struggle for independence from Britain. The State itself was immediately thrown into Civil War, because of the partition created between the 26 Irish counties of the nationalist Irish Free State and the six counties that became Northern Ireland and remained part of the United Kingdom. The scene is set for a push for greater national independence for the Free State, while maintaining always the possibility of Irish unity: Irish nationalism cannot push too far from Britain, because of the danger of irrevocably alienating the unionist community in Northern Ireland.

Chapter Six takes forward the first stage of the analysis of the motivation for the immigration controls. It identifies the practical constraints and rationales for their introduction. It explains the initial motivation for the Irish authorities to introduce 'new' immigration controls, which in reality replicated the previous system under British rule. Immigration controls were seen as part and parcel of being an independent state; their existence, rather than their content, was the issue. The Irish Free State was moreover a Dominion of the British Empire and a member of the Commonwealth of Nations, and as such, subject to regulations governing the administration of the Dominions. Although in theory the Government had a free hand in domestic affairs, the structural constraint of

Commonwealth membership, together with its own aspirations for Irish unity, would provide a limit on the extent to which Irish independence could be delivered.

Chapter Seven continues the analysis of the Free State immigration controls, and focuses further on the actual process of their development. The chapter demonstrates that the Irish Free State Government did review the existing Dominions legislation in considering how to develop the immigration controls. Then, in discussing Irish nationalist tendencies of exclusion and the extent of xenophobia in the Free State, the chapter argues that politicians in the Irish Free State were likely to be at least as exclusive in their tendencies as those in the other Dominions. But Irish nationalism, in contrast at that time to those British settler societies in the Dominions, had a further anti-British tendency. If immigration controls were truly to be founded on the exclusion of the nation's 'Other', then taking this argument to its logical conclusion would result in the Irish Free State excluding the British through its immigration controls.

However, a broader nationalist politics did influence the development of the Free State immigration controls. At the time of their introduction, the Free State Government also introduced a new Nationality and Citizenship Act, which provided for Irish Free State citizenship, in contradistinction to the previous common British citizenship. The chapter discusses how the development of immigration controls to match the new nationality clauses led to the definition of non-Irish born British subjects

as 'aliens' to the Free State, although an administrative order would permit their continuing unrestricted access to the Free State. The 1935 immigration controls were therefore used to establish a nationalist point, but in quite a different manner from the empirical precedents and theoretical assumptions.

Chapter Seven then discusses the influence of partition in Ireland on the development of these controls. The practical difficulties involved in establishing controls on the Northern Irish border would have been minimal compared to the political controversy that would have resulted from border checks on movements within the island of Ireland. It was politically impossible for a nationalist Irish administration to consider controls that might result in the restriction of Northern Irish residents travelling to the Free State, and vice versa. The influence of nationalist politics here constrained the capacity of the Government to introduce immigration controls similar to those in the other Dominions.

Chapter Eight then reviews both the research findings and the methodology used in this thesis. The thesis does provide an explanation for the underpinnings of the Irish Free State immigration controls. They are based in a complicated interaction between nationalism, state formation, and the specific politics clustering around aliens and immigration controls. The relatively uncomplicated theoretical assumption on the motivation for restrictions on immigration does not fit this more complicated case. This is primarily due to the mismatch

between nation and administrative territory, and the complicated interaction between the two in establishing the state.

In providing a critique of the morphogenetic case study methodology, Chapter Eight concludes that using morphogenetic macro-social theory to investigate the structuring of historical action is a viable and useful research approach for historical sociological research. The use of social theory assists the researcher in penetrating the chaotic social world and detailed historical processes involved, and thereby identifying and drawing out the key influences on social action. The narrative case study method used here further establishes wider theoretical links and through the thematic analysis of social elaboration enables generalizations to be drawn beyond the specific example of the Irish Free State. The thesis' findings provide insight into the processes involved in developing immigration controls under complex political circumstances. The research serves as a caution to others investigating immigration controls in similarly complicated circumstances.

Chapter One: The Unexpected Underpinnings of Irish Immigration Control

Introduction

This chapter introduces the research problem for the thesis. The Irish 1935 Aliens Act – the first immigration controls established in an independent Irish state – is established as anomalous. Firstly, the empirical argument for its distinction is put forward: the restrictions introduced in the Irish Free State[1] do not match the pattern evident in other examples of immigration controls in this period in Europe and the United States, but particularly in those introduced by other Dominions in the British Empire. The Irish Free State controls are identified as anomalous within this empirical context.

The chapter then explores the sociological theories explaining the general underpinnings of immigration controls. These theories posit an assumed relationship between nationalist instincts of protecting the nation and the exclusionary nature of immigration restrictions. However, as is demonstrated, this assumption, although it fits the other empirical examples, does not explain the structure of Irish immigration controls.

The Irish Free State (Gaelic name: Saorstát Éireann, as it is referred to in Irish official documents) was formed in 1922 after the signing of the 1921 Treaty between Irish nationalist leaders and the British government. The Irish Free State was a member of the Commonwealth, and like other Dominions, the Free State government had responsibility for its own domestic affairs, while the British government maintained responsibility for Commonwealth external affairs. In 1949 the Irish Free State declared itself the Irish Republic, and as such, seceded from the Commonwealth.

Protecting the Irish nation from the intrusion of outsiders does not appear to have been the purpose of the 1935 Aliens Act. The immigration controls in the Irish Free State are thus established as unusual in both empirical and theoretical terms.

Immigration Controls in the Irish Free State: the 1935 Aliens Act

This thesis examines the underpinnings of a particular set of immigration controls, that of the 1930s Irish Free State. The 1935 Aliens Act comprised the first immigration controls introduced after the Free State's independence from the United Kingdom in 1922, and therefore the first immigration controls introduced by an independent Irish government. Immigration control has been defined as separate from immigration policy in the European literature since Thomas Hammar (1985) developed the distinction. In Hammar's terminology, immigration control regards the framework that regulates the entry and stay of foreigners, whereas immigration policy is concerned with their integration into host societies (see Hammar, 1985, also Guiraudon and Lahav, 2000). The analysis of the 1935 Aliens Act in this thesis concentrates on accounting for the distinctions made between those groups who were allowed relatively unrestricted access to the Irish Free State by policymakers, and those restricted from entry to the territory. The focus here is thus on immigration controls rather than on immigration policy.

The 1935 Aliens Act is an important piece of immigration legislation: although establishing the first immigration controls for an independent

Irish Free State, the Act replicated the existing immigration controls of Great Britain, as implemented through the 1914 Aliens Restriction Act and the 1919 Aliens (Amendment) Act, when Ireland was still part of the United Kingdom[2]. This was unusual; at that time most states, even those quasi-independent Dominions of the British Empire, developed specific immigration controls for their own domestic purposes in the early twentieth century (although similar trends across these controls can be identified). The case of immigration controls in the Irish Free State is therefore treated as an atypical example of the development of immigration legislation. It is established as an 'outlier' case, going against the empirical context of existing immigration controls in the 1930s, particularly in Dominions of the British Empire.

The Motivation for Restricting Immigration

Why is it legitimate to suppose that Irish Free State immigration controls would be different to those of the United Kingdom, or that design of immigration controls would vary from state to state? The implication is that immigration controls, at least in the early twentieth century, were

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[2] The United Kingdom of Great Britain and Ireland was established in the 1800 Act of Union, and was governed from Westminster. The Government of Ireland Act, 1920 provided for the establishment of separate parliaments in Britain, in the 26 Irish counties which were to become the Irish Free State in 1922, and in the six counties of Ulster that were to become Northern Ireland. Following the foundation of the Irish Free State, Northern Ireland remained in the United Kingdom, which adopted the official name of the United Kingdom of Great Britain and Northern Ireland in 1927, under the Royal and Parliamentary Titles Act. In this thesis, references to the United Kingdom before 1922 refer to the period when the Westminster Government governed all Ireland as well as Britain. References to the United Kingdom after 1922 refer to the area of Great Britain and Northern Ireland. References to Britain in this thesis refer to the Westminster Government after 1922, which governed England, Scotland and Wales.

designed and tailored with some reference to the domestic contexts of individual states. It can reasonably be asserted that the domestic contexts of Great Britain and Free State Ireland, as an imperial power, and a post-colonial new state respectively, were significantly different, and would require different immigration controls to meet their different domestic needs. Further, a case can be made for linking immigration controls to specific nationalist aims, such as protecting the national territory from outsiders, or building and developing the nation. Again, Great Britain and Ireland, with different nationalist myths and histories, might be expected to develop different immigration controls, reflecting these different circumstances.

Immigration controls, as distinct from policy, place limits on the groups of people that are permitted entry to a given state. Boswell (2007) identifies two strands of theory that explain the underpinnings of immigration controls design: neoclassical political economy, as demonstrated in the work of Freeman, and the "'neo-institutionalist' (nation state explanation) approaches, as demonstrated by Joppke, Hollifield, Guiraudon and Soysal" (Boswell, 2007: 75- 76). The Freeman approach, according to Boswell, offers a theoretical neatness, but with the accompanying risk of over-generalisation. Freeman (2006) posits a theory for explaining why states allow certain levels of migration, which takes into account industry and employer needs, and demands from the local population, and argues that governments try to meet the needs of business and industry in establishing immigration controls. However, this theory, while accounting

for the overall levels of migration in particular states, does not explain the discriminatory impulses in immigration controls, namely why some groups of people are excluded while others are allowed entry. Similarly, Meyers (2000, 2002) accounts for the movement towards racially exclusionary immigration controls, but at this general level, does not explain differences between nation states.

Triadafilopoulos comments that "the ubiquity of racial classifications and the linking of race with national identity help make sense of the striking similarity of immigration restrictions and controls across receiving states during the first phase of globalisation ... the point was not simply to limit the overall number of migrants entering the country; rather, efforts were made to minimize the perceived impact of particular peoples on the nation's "health" and security" (Triadafilopoulos 2004: 391). Similarly, Takacs places the anti-immigration agenda in the context of a strong and reactionary impulse to "reconstitute the nation as an ethno-culturally homogenous and therefore harmonious collectivity by restricting access to the socio-symbolic, and increasingly the material, spaces of the nation" (Takacs 1999: 602).

Nationalisms first emerged as mainstream political ideologies following the Enlightenment in Europe (see Gellner, 1983, 1994; Hobsbawm, 1990; Smith, 1991; Guibernau, 1996): the nation state's first guise is frequently cited as the case of post-revolutionary France, "the cradle of the modem nation state and of the principles of nationalism" (Horsman & Marshall,

1994: 5). A key feature of nationalist thinking and organisation was the new concept of a geographically and historically bound people, who formed a nation. The geographical and political structures of the nation state often followed, or were accompanied by, the emergence of corresponding cultural systems which structured people into nations. Billig describes nations as not being "constructed around clear, 'objective' criteria, which are possessed, and seen to be possessed by all national members" (Billig, 1995: 24). The shared features of 'nations' are imagined; the invention of a belief in a common culture, common ancestral background and so on, is one of the key founding myths of most nations.

More recently the invention of a shared, or common *ethnicity* has also been added by some to the list of founding myths. Gellner claims that, rather than nation states providing a forum in which nationalism is a justifiable belief system, nationalism begat nation states, that such states "can be defined only in terms of the age of nationalism, rather than, as you might expect, the other way round" (Gellner, 1983: 55; see also Anderson, 1983, 2nd ed 1991: 22). Miller argues further, that the age of nationalism "conjures up the idea of nations as organic wholes, whose constituent parts may properly be made to subordinate their aims into common purposes, and the idea that there are no ethical limits to what nations may do in pursuit of their aims, that in particular they are justified in using force to promote national interests at the expense of other peoples" (Miller, 1995: 8; see also Kellas, 1991).

Nationalism depends on a process of exclusion for its very survival, and the concept of a nation therefore has at its heart an associated element of exclusion: those outside of these historical and geographical familial boundaries were also outside of the nation. Hayter describes immigration controls as "a function of nation states" (Hayter, 2000: 1). Trebilcock states that "nations imply boundaries and boundaries at some point imply closure" (Trebilcock, 1995: 219: see also Bennington 1990: 132; Triandafyllidou, 1998: 593; Takacs 1999: 594-5, and Kuzio, 2002). The type of immigration controls used by the Dominions, the UK, US, and European states in the early twentieth century can be identified as a legal codification of nationalist exclusion, related to the processes of nation-building described in the Dominion states and the US. With specific regard to settler societies, Pearson describes their self-identification "as part of a transnational British kin group, sharing the family status of monarchical subjects, bound together by ties of "race" and national origin ... [which] remained until very recently, within a colonial diasporic network within which citizenship and nationality were indistinguishable" (Pearson, 2002: 994).

Further, at this time in European and 'white' dominated states, scientific racist beliefs formed "a broadly encompassing global-level cultural code founded largely on phenotpyical distinctions within which the peoples of advanced industrial societies, north-west European whites, were the elect; this moral status... legitimised political domination and economic exploitation of the less worthy. This code played an important role in

influencing policymaking in the spheres of immigration and citizenship. While it did not compel states to impose racially exclusive controls, it provided a set of ideas that shaped thinking both about 'preferred' and 'non-preferred' groups and the means by which the latter ought to be regulated" (Triadafilopoulos, 2004: 390-1).

The potential for mingling scientific racist ideas with concepts of nationalism and related categories of inclusion and exclusion provides a possible explanation for the rationale of the immigration controls that specifically restricted entry to some groups, while allowing free access to others, regardless of the overall level or numbers of immigration. Pearson defines racial, ethnic and national categorizations, in tandem with class and gender distinctions as being "consistent bases for citizen inclusion and exclusion in material and symbolic terms" (Pearson, 2002: 993-994). The theoretical literature on immigration controls generally posits an association between nationalism and immigration restrictions, in some cases arguing that national identity constructions are a formative influence in the design of immigration controls: the nation's population and government's concepts of who does and does not belong causally influences the government's restrictions of who can and cannot enter the nation's territory[3].

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[3] For a discussion on the justification for nation states' use of migration controls to restrict access to nationals, or similar groups, see Walzer, 1981, 1983; Carens, 1987; Coleman and Harding, 1995; Perry 1995, Seidman 1995; Tushnet, 1995; Cole, 2000; Kaufmann, 2000; Tebble, 2006, and Juss, 2007.

Koslowski comments that, "the policy impact [in response to migratory flows] is often out of proportion to the actual size of migratory flows because of public perceptions in the host country that migrants increase employment competition, challenge religious, cultural or ethnic homogeneity or pose threats to national security" (Koslowski, 2000: 2). Meilander regards the economic arguments against immigration as ultimately "secondary ... which cannot settle the fundamental questions of whether or to what extent countries may shape their own immigration policies as they will" (Meilander, 2001: 28)[4]. Doty explicitly connects immigration and national identity, arguing that "a study of immigration and national identity presents us with the opportunity to examine an instance of how boundaries that separate the inside from the outside get constructed, however provisionally" (Doty, 1996: 236).

A general pattern of restrictive controls on entry can be seen in the immigration controls implemented in early twentieth century Australia, Canada, and New Zealand; states whose constitutional status within the British Empire was analogous to that of the Irish Free State. Restrictions on immigration were introduced in the early twentieth century in European countries such as France and Germany, and the United States. These

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[4] As noted above, the focus of this research is how immigration controls define who is and is not permitted entry to a nation state's territory. The use of immigration controls to limit numbers of migrants is secondary: the key question is what are the regulations regarding who is permitted entry and who is excluded? For a discussion of the (mainly economic) justification of migration controls to manage numbers of migrants, see Huber and Espenshade, 1997; Simon, 1989; Harrison, 1983; Brücker et al, 2002; Boeri and Brücker 2005; Hadfield, 1995; Sykes, 1995; Brettell and Hollifield, 2000.

controls had in common a tendency to limit entry to immigrants from Europe or of European heritage, and in some cases specifically to northern European heritage (see Foot, 1965; Dummet and Nicol, 1990; Castles and Miller, 1993; Brubaker, 1992; Silverman, 1992; Joppke 1999; Joppke 2004; Shapiro, 1997; Hjerm, 1998; Favell, 1998; Hansen 1999; Pautz, 2005). Meyers argues that the general ideology of scientific racism which emerged in the late nineteenth century explains what he sees as the similarity between many Western immigration controls, noting that "racist theories and terminology were prevalent in various receiving countries during the first decades of this century and facilitated the passage of restrictions on dissimilar immigration based on ethnic selection criteria" (Meyers, 2002: 136). Immigration controls were used as a mechanism for building or protecting the nation, denying access to the national territory to people popularly considered as fundamentally unassimilable to the nation.

Immigration Controls in Britain

Although the British Government introduced immigration controls in the early decades of the twentieth century, its controls were less restrictive than those in the Dominions and the United States. The structural situation of the United Kingdom as the head of the British Empire placed limits on the controls that could be implanted by the Government; it was politically difficult, for example, for a United Kingdom Government to place limits on the entry of British subjects, including those from the Indian subcontinent, Africa and the Caribbean (see Joshi and Carter,

1984; Carter, Harris and Joshi, 1993). The controls introduced by the United Kingdom therefore, and in contradistinction to New Zealand, Canada and Australia, made no distinction among British subjects; all were in principle entitled to entry.

Using the existing sociological theories that purport to explain the rationale immigration controls does not explain why the Irish Free State chose to replicate the same immigration controls as the UK, except at a general level of permitting the same levels of immigration. It does not explain why the Irish Free State did not follow the precedents of the US, other self-governing states in the Commonwealth, or nearby European neighbours. The remainder of this chapter first sets out the immigration controls that were introduced by the United Kingdom and retained by the Irish Free State. The chapter then demonstrates that a precedent of using immigration controls for objectives of nation-building was already established in Dominion states of the British Empire, thus setting a legislative example that the Free State could have followed.

The empirical evidence for connecting early twentieth century immigration policy to domestic contexts and nationalisms is extensive; there is particularly a substantial literature linking immigration policy in twentieth century Britain to nationalism and specifically a racist nationalism (see, for example, Foot 1965; Holmes, 1988; Gilroy, 1991) Twentieth century immigration policy in Britain has been linked closely to the state's history, both in terms of its involvement in World Wars and its history as a colonial

power. The imperial history of the United Kingdom had, according to Triadafilopoulos (2004), a particular bearing on how later immigration policies were constructed. From within the imperial context of the nineteenth century - a set of structural relationships wherein the 'white' countries of Europe governed much of the 'black' or 'coloured' rest of the world - emerged the cultural constructs of 'race' and racist beliefs. Mirroring the political structures within European empires at that time, people were categorised into different races; the 'white' race being topmost on the list, with darker-skinned people conceptualised as inferior. Triadafilopoulos argues that these beliefs in "race and national identity – also played a key role in shaping incipient immigration and citizenship policies. The restrictions that were implemented were not simply barriers to movement; they were barriers to particular racially defined peoples whose presence was deemed to be harmful to the development of the nation" (Triadafilopoulos, 2004: 390).

The first restriction on immigration introduced by a British government was the 1905 Aliens Act, designed to exclude predominantly poor and radical Eastern European migrants, many of whom were also members of an unwelcome racialised group — the European Jewish population. In the late nineteenth and early twentieth century, compared to previous decades, a relatively large number of Jewish emigrants arrived in Western Europe and Great Britain, mainly from Tsarist Russia and Eastern Europe. With the prevalence of 'race' ideas and scientific racism in the nineteenth century, Jews, who had long suffered discrimination

throughout Europe, were newly constructed as a distinct racial group (Jones, 1977; Dummet and Nicol 1990; Keogh, 1998). Jewishness was now ineradicable and hereditary; a religious conversion to Christianity could not alter it. Dummett and Nicol comment that the Jewish refugees from Eastern Europe were "a highly visible group among the thousands of other alien immigrants" (Dummett and Nicol, 1990: 99). Jones outlines the reaction of the majority population to the arrival of this new immigrant group; "contrasts of language, dress and custom between English and Alien were only heightened and rendered the more obvious and off-putting by the tendency of the newcomers to crowd together. Such a massing of strangers so strange as this was enough, in itself, to prompt a fearful, defensive reaction. The English way of life - whatever that might be - seemed under threat" (Jones, 1977: 74). The Aliens Act of 1905 was not designed to manage levels of immigration; the Act does not contain references to reducing, or controlling *numbers* of immigrants. Rather, the first UK immigration Act was designed to exert some control over the *types* of immigrants who could enter the United Kingdom through introducing an exclusionary system of desirables and undesirables which codified who was allowed entry into the United Kingdom: impoverished Jewish refugees from Eastern Europe fell mainly into the latter category.

Over the next two decades, until the end of World War I, new measures were sporadically introduced. With the onset of war, and the consequent increased xenophobia in the country, particularly against people of German origin, a new Act was introduced in 1914 - the Aliens Restriction

Act. This act further defined the distinctions between Alien and Subject already enshrined in the 1905 Act, and led to a 'tight measure of control over alien immigration and the lives of all aliens currently living in Britain' (Holmes, 1988: 93; Morris, 1998). The 1919 Aliens Amendment Act further reinforced these strict immigration controls. British subjects were given preferential treatment over Aliens. However although all subjects of the British Empire were nominally 'British' and therefore entitled to enter the United Kingdom, Spencer argues that there was a clear distinction evident in United Kingdom immigration controls and practices that distinguished between all British subjects and those (mainly white British subjects) perceived as entitled to live in the UK (Spencer, 1997: 8).

For example, Foot (1965) discusses the 1925 Coloured Alien Seamans Order, designed to discriminate against black and coloured seamen, describing how "in practice it was used, as the government had intended that it should be, to harass all 'coloured seamen', 'aliens and British subjects mixed' and to prevent as many as possible from settling in the United Kingdom" (Foot, 1965: 113). By this order, seamen without satisfactory documentation of British nationality had to register as aliens. Foot argued that the law was intentionally burdensome since the vast majority of black British seamen had no documentation and thus became aliens, losing privileges of citizenship and subject to deportation. Spencer claims the policies operated in Britain from well before World War II were clearly intended to exclude those British subjects who were non-white.

These immigration controls were particularly designed for the needs of the United Kingdom, in that the government did not legislate for discrimination between one type of British subject and another. Within the structure of the legislation, all British subjects were technically permitted entry to its territory, with the government using Orders strategically to (in practice) limit the ability of black and Asian British subjects to enter the United Kingdom. Goldstone comments that, 'the British Restriction of Aliens and Amendments Bill (1914), [was] passed in the frenetic atmosphere of war, spy scares and xenophobia" (Goldstone, 2000: 118). These were the immigration controls replicated in the 1935 Irish Free State Aliens Act: a set of policies designed in another state, to meet its specific national needs.

The proposed relationship between perceived national interests and immigration controls in the United Kingdom is supported more generally by sociological literature, which locates the underpinning rationale for the exclusion of particular groups through immigration controls in the emergence of the nation state and the concept of the nation. Tushnet argues succinctly that "immigration policy is a relatively recent development in the modern world. It is a by-product of nationalism, itself a relatively recent phenomenon" (Tushnet, 1995: 152). Triadafilopoulos comments that "the point [of immigration controls] was not simply to limit the overall number of migrants entering the country; rather, efforts were made to minimize the perceived impact of particular peoples on the nation's "health" and security"" (Triadafilopoulos 2004: 391). The

implication is that the identification and categorisation of the particular peoples deemed as posing a threat to the nation's health and security emerges through the development of nationalist discourses. People developed concepts of their nation by defining the national group in distinction to 'Others' (Anderson, 1983, Gellner, 1983, 1994; Guibernau, 1996); these 'Others' are defined as those groups who are unassimilable to the national group, and are thus excluded through immigration controls.

For a proposed connection between nationalism and immigration policy to adequately explain the design of the Free State Aliens Act 1935, one would need to assume that the Irish government in 1935 interpreted its duty of protection of the nation in precisely the same way as did the earlier United Kingdom government. This point is not easily sustained. The Irish Free State became independent from the United Kingdom in 1922, following a nationalist war of independence. As the government of a new and post-colonial nation state, the Free State government operated within a very different domestic political context to that of the imperial government of the United Kingdom.

Although the connection between nationalism and immigration goes some way to explaining the design of United Kingdom immigration controls, it is not at all clear why the 1930s Free State government chose to use these immigration controls designed originally for United Kingdom purposes, to determine entry and exclusion from the Free State national

territory. Moreover, at the time the 1935 Aliens Act was introduced, the Free State government also introduced a new citizenship policy, specifically designed to mark a break with the United Kingdom and the British Empire. With a change in citizenship policy, why would not the government also use immigration controls to protect the newly defined Irish citizens from the intrusion of foreigners?

The Dominions and Increased Immigration Restriction

There was an already-established pattern within the Commonwealth of Nations, of which the Irish Free State was a member, whereby Dominion states with autonomous self-government arrangements, developed and codified their own immigration controls, specifically designed for the needs of these emerging nation states. New Zealand, Australia and Canada all introduced their own immigration controls in the early twentieth century, which were more restrictive than those of the UK. In the 1930s there was thus a legal and political precedent wherein Commonwealth states had established their rights to determine who was allowed entry to their territory, independent of the immigration controls of the United Kingdom. It was possible for the Free State to implement its own immigration controls, independently of the UK government.

Although the Dominion states were different from the Irish Free State in that as settler territories, their governments actively encouraged immigration to develop and strengthen the emerging nations, the design of their immigration controls are still of some relevance to this thesis. The

focus of this research is on the exclusionary design of immigration controls, rather than the numbers of immigrants to states. Through the immigration controls implemented in the early twentieth century, the Dominion governments targeted very specific groups of migrants, both for inclusion in and exclusion from their national territories. Dominion governments were very clear about which groups would be welcomed and those groups they wished to exclude. The immigration controls designed and used by these governments serve as interesting examples of the types of controls that could have been adopted by the Free State government.

Following the example of the United Kingdom, Dominion immigration controls were actively designed to further 'build the nation'. However, they were more restrictive than UK controls in terms of which types of migrants were welcomed. As modern industrial economies, Canada and Australia depended upon a migration inflow for population growth and development. (Adelman et al, 1994: 3) However, both Canada and Australia developed immigration policies that, from the first, were influenced by ideologies of racism and racist-based exclusion from the nation. New Zealand did not have the same aim of using mass immigration as an economic tool to stimulate growth, but shared Canada's and Australia's purpose of using immigration control to carefully manage who would be permitted entry to the national territory.

A general move to restrict black and brown British subjects was discussed among the colonial governments on the occasion of the Diamond Jubilee in 1897 (Borrie, 1991: 171) but an explicit restriction on their migration to these states was argued against by the British Prime Minister (Chamberlain) who asserted that the tradition of the Empire "which makes no distinction in favour of, or against race or colour" would be breached in such a policy; "and to exclude, by reason of their colour, or by reason of their race all Her Majesty's Indian subjects or even all Asiatics ... would be an act so offensive to those peoples that it would be most painful to Her Majesty to have to sanction it" (cited in Borrie, 1991: 171). Within this context, the three settler states (which attained self-governing Dominion status in 1901) at first used more strategic and subtle methods of restricting unwanted immigrants, through poll or head taxes and language dictation tests. However, by the 1920s, their immigration controls also referred explicitly to "race" or nationality as a means by which a person could be refused entry to the national territory.

Canada's immigration controls have their origins in the British colonial administration. Having finally obtained control over Quebec from France in 1763, the British Government began searching for ways in which the English-speaking component in the colony could gain a numerical advantage (Wydrzynski, 1983: 40). Early immigration control Acts, passed in 1869, 1872 and 1896, were mainly to the effect that 'socially undesirable' elements would not be admitted into the state. However, by the 1890s Canadian policy was prepared "to abandon a search for British

immigrants in preference for rural settlers from Eastern Europe and other parts of Europe to develop the Western Provinces" (Inglis et al, 1994: 12). A large-scale policy of mass immigration was launched, mainly to fill the unpopulated Prairie States: between the years 1896 and 1914, approximately 2 million migrants entered Canada (Wydrzynski, 1983: 44).

Following the 1901 awarding of Dominion Status, further and increasingly restrictive immigration laws were passed (1906 and 1910), a major aim of Canadian immigration controls in the early twentieth century being "to preserve Canada's predominantly British character" (Cavell, 2006: 345). The 1910 Act included "a basic approach of focusing on a prospective immigrant's country of origin; an approach that was unchanged until a non-discriminatory set of regulations was created in 1962" (Green and Green, 1999: 427). By 1914 'the die was cast in the form of a restrictive and selective admission policy for immigrants ... Generally immigrants who did not fit into the Anglo-Saxon mould were classed as undesirable. The degree of undesirability varied with the immigrant's country of origin". (Wydrzynski, 1983: 46).

In the 1920s, immigration controls were introduced that further expanded the power of the government "over the level, timing and ethnic composition of migration" (Green and Green, 1999: 428). Following World War I, it was generally felt that "innovative immigration policies would be required for the building of a stronger Canada. In this context, Empire settlement took on an appeal it could never have possessed during

earlier decades" (Cavell, 2006: 354[5]). Admission was based solely on preferred country of origin. Applicants from northern and western Europe were treated as almost equal to those from preferred countries, while those from central, eastern and southern Europe faced stricter regulations. Immigrants from other regions could be admitted only if sponsored by a relative already legally admitted in Canada. Thobani describes in detail the history of Canadian immigration controls as the state contending "with the conflicting interests of preserving the 'whiteness' of the nation while simultaneously ensuring an adequate supply of labour" (Thobani, 2000: 35). She notes that the head tax was imposed on Chinese and South Asian immigrants, the Exclusion Act prevented all immigration from China, the Continuous Passage requirement restricted immigration from India and Japan, and the 1910 Immigration Act defined 'race' as a category which could prohibit immigration into the country (Thobani, 2000: 36)[6].

Similarities are regularly drawn between Canada's and Australia's immigration controls (see for example Hardcastle et al, 1994; Adelmen et al, 1994; Inglis et al, 1999). Both states encouraged mass immigration and both have been categorised as adopting "defensive immigration

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[5] Somewhat ironically, Cavell notes that this keenness for British migration to Canada was mainly due to an enthusiasm for British farming stock, and also led to strong criticism of the assisted migrants. "These Canadians had a highly idealised image of the British character, and it is plain that for them, migrants drawn from the unemployed urban workforce could never live up to this image" (Cavell, 2006: 348).

[6] For a fuller discussion, see Bolaria and Li (1985) and Hawkins (1972).

postures. Australia's misgivings about its regional location were a major factor both in the 'White Australia Policy' and in the mass European migration program in the post-war period, Canada has a similar history of racial exclusion and a preference for Europeans" (Hardcastle et al, 1994: 111). Unlike Canada, though, Australia had become "predominantly an urban society from the mid-nineteenth century with a focus on providing for those already settled in the new colonial environment" (Adelman et al, 1994: 12). As such, the development of immigration controls in Australia was directed at managing and restricting rather than encouraging immigration. A 'White Australia' policy shaped immigration controls almost throughout the twentieth century, and was not formally abolished until 1973. Inglis et al describe Australian immigration controls as at "the forefront of the construction of a national identity and development" (1994: 4). Australia sought most of its immigrants from the United Kingdom (as did Canada) through colonial assisted migration. The UK contributed the largest single national group of immigrants each year from 1788 to 1996, and again from 2003 (Jupp, 2007).

As well as using immigration controls to encourage UK emigration to Australia, governments successively employed restrictions to exclude the types of people thought of as unassimilable in this new settler society. "When the colonies federated in 1901... so determined was the young nation to preserve its "racial purity" that the first piece of legislation passed by the new federal parliament was the Immigration Restriction Act ... [which] allowed for the absolute exclusion of non-Europeans" (Jordan,

2006: 228). The nation-building impulse underpinning Australian immigration controls was influenced by social Darwinism and scientific racism, described as the product "of conscious social engineering to create a particular kind of society" (Jupp, 2007: 6). Jupp further argues that Australia has long-standing "xenophobic, racist and insular traditions and they have always influenced immigration policy. Policy has always been influenced by ideologies: imperialism, racism utilitarianism, economic rationalism and humanitarianism" (Jupp, 2007: 7)[7].

In early manifestations of Australian immigration controls, the focus was on the 'racial composition of the migration intake and with the social and cultural identity of the developing society' (Crock, 1998: 11). For example, in the 1901 Immigration Restriction Act a literacy test was imposed that required would-be immigrants to write out a passage of fifty words in a European language, described as 'a thinly disguised device to exclude uneducated, non-white migrants' (Crock, 1998: 11). London similarly describes the 1901 legislation as being "directed at excluding all non-white people" (London, 1970: 12). British subjects had virtually free access to Australia until 1983 – but only if they were 'white', and white people who were not British subjects were "usually free to enter Australia until restrictions in the 1930s, reflecting the depressed economy and labour market. But they could be restricted from time to time. "Enemy

[7] See also Willard, 1923; Yarwood, 1964; Palfreeman, 1967; Markus, 1979, for a discussion of the use of Australian immigration control throughout the twentieth century in maintaining a White Australia.

aliens" (Germans, Austrians and Turks) were denied entry between 1914 and 1925". (Jupp, 2007: 14). Similarity of skin colour trumped a common British subjecthood in Australia's immigration controls. Like Canada, Australia implemented immigration controls in the first decades of the twentieth century that were more restrictive than UK immigration controls, and were aimed at shaping and protecting the nation.

New Zealand similarly used immigration controls as a nation-building strategy, seeking to re-create a British haven on the far side of the world. Grief (1995) describes how "immigration in New Zealand has always been the subject of controversy. There is nothing new either in this or in attempts at directing the ethnic or even the religious makeup of New Zealand, first as colony and later as nation. Such racial, ethnic or religious goals were not ends in themselves but have always been tied in with an economic strategy as well" (Grief, 1995: 30). Unlike Australia and Canada, who used large-scale immigration to populate and develop a sizeable national territory, Borrie describes how "immigration has played only a minor part in the development of New Zealand... Any legislation passed was not for the purpose of promoting large-scale immigration, but for the express purpose of restricting it. Almost exclusive preference was given to British subjects as New Zealand became conscious of its position as a Dominion" (Borrie, 1991: 149). New Zealand, like Canada and Australia restricted immigration from 'race aliens' through head-taxes on Chinese migrants (1881), and further restrictions on Chinese migrants in 1888.

New Zealand also made use of the assisted migration scheme established through the Empire Settlement Act (1922) to import UK nationals to New Zealand. In his paper, first written in 1938, Borrie concluded that "'race aliens' have been less than 1 per cent of the population since 1880, but fear of any increase in their numbers has been responsible for practically all the Immigrant Restriction Acts in New Zealand since the gold rushes" (Borrie, 1991: 169). The Great War brought a further demand for a White New Zealand policy, and in 1919 the Undesirable Immigrants Exclusion Act was passed. This was directed mainly against alien enemies and persons with views considered subversive of the established order (generally Marxists and socialists). Grief describes the Immigration Restriction Amendment Act as being of a decidedly racist nature, and reflects that the climate which produced it was "beset with moral panics related to concerns over racial fitness and survival" (Grief, 1995: 32). The growth of what Borrie terms a "White New Zealand ideal" prevented unrestricted migration of any groups but white British. Indians were not encouraged: "all British subjects have not been, and cannot be, offered equal rights" (Borrie, 1991: 176).

The empirical examples of the United Kingdom and Dominions' immigration controls point to a political context in the early twentieth century British Empire in which immigration restrictions were used to limit access to the nation's territory by those groups of people who were considered as potential threats to the unity or cohesiveness of the nation. This was not only the case within the British Empire; other states with

whom the Irish Free State would have had key political connections, and therefore provided potential further models for immigration policy, also followed this pattern. The United States, a country to which the Free State had strong connections due to the sizeable Irish diaspora there, like the Dominions, restricted entry for particular migrant groups. The US used immigration control as a means of managing the ethnic composition of the national population, whilst remaining a society of mass immigration. Takacs comments that "the entry of non-white bodies into the national "family" profoundly disrupted the dominant narratives of national identity and displaced the anxieties produced by this disruption on to issues of immigration. Control over immigration became the means of reasserting control over national identity" (Takacs, 1999: 598). The US political elite defined the nation as one developed on Anglo-Saxon and northern European roots, linked by Joppke to "an illiberal tradition of 'ascriptive Americanism', which hypostasises an ethnic core of protestant Anglo-Saxonism that is to be protected from external dilution" (Joppke, 1999: 23). Early immigration policy in the United States was influenced both by an urge to attract migrants to the country to develop, manage and exploit its resources, and by a perceived need to protect a white, Anglo-Saxon core of society.

The first US immigration controls, enacted in the late nineteenth century, limited immigration from the Far East. A later immigration policy, adopted in 1924, sought to replicate the 'ethnic' composition of US society by matching the numbers of immigrants allowed in from various states to the

proportions of persons originally from those states reported in the 1890 US census. Using a later census would have reported higher numbers of residents from outside northern Europe. This resulted in the majority of visas being awarded to northern European countries. Southern European, African, Asian and Hispanic states received a much lower proportion of visas for immigrants. Maintaining an Anglo-Saxon national core was the purpose of the 1924 Act, designed to preserve "the racial and ethnic makeup of the United States as it had existed in 1890" (Bashi, 2004: 506, citing Glasser, 1976).

Other European States whose situations would have been known to the Irish Free State government, such as France and Germany, also used immigration controls to protect the nation from those perceived as outsiders[8]. Indeed, Meyers argues that there has been a general convergence and similarity among immigration control policies since at least the beginning of the twentieth century, noting that between 1919 and 1924, "Australia, Britain, Canada, Germany, the Netherlands, Switzerland and the United States severely restricted immigration" (Meyers, 2002: 124).

In the 1930s Great Britain did not make a legal distinction among British subjects in their right to enter British territory. Dominion states had

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[8] For a discussion of France's use of immigration controls, see Weil, 1991; Brubaker, 1992; Hollifield, 1994; Hargreaves, 1995; Favell, 1998; Feldblum, 1999; Dubois, 2000, and Luedtke, 2005: for a discussion on the German case, see Brubaker, 1992; Karapin, 1999; Vogel, 2000; Triadafilopoulos, 2004; Joppke, 1999, 2004, and Luedtke, 2005.

developed their own immigration controls, linked to the emerging nationalisms of these settler societies and the related purpose of nation-building. As well as this empirical political and legislative precedent for the Irish Free State to design its own immigration controls, the cultural context of the 1930s, in which it was possible to 'think the nation', also justified a nation state's use of immigration controls to manage entry to the national territory, according to its nationalist exclusionary tendencies. These contexts present the research problem of this thesis: one might expect the Irish Free State to develop its own immigration controls for the purpose of safe-guarding its own national territory, as did other self-governing states within the British Empire, and states such as the US, France and Germany. However, the Irish Free State replicated the existing UK immigration control regime, itself undoubtedly influenced by the UK's structural location as leader state of the British Empire. It is not clear why the Irish Free State maintained this imperially-inspired immigration control to manage entry to its own territory – certainly Irish nationalists and nationalist ideas were anti-Imperial, if anything.

Early Twentieth Century Irish Nationalist Politics

The Free State government does not appear – unlike the states discussed above, including the early twentieth century United Kingdom - to have designed immigration controls reflecting its national circumstances, or Free State nation building or nation protecting aims. The circumstances of 1930s Free State politics were defined by the recent secession of the Irish Free State from the UK, and its ongoing

endeavours to assert its actual independence from Great Britain, both politically and economically, through introducing new citizenship Acts, and embarking on "economic wars" with Great Britain. Within this context of establishing its sovereignty as a nation state, the Free State simultaneously introduced immigration controls that mirrored those of Great Britain, designed during and just after the First World War, thus replicating a policy originally designed for a political context that had little relevance to the domestic situation of the 1930s Free State.

At the time of Irish secession from the United Kingdom in 1922, Irish nationalisms were influenced both by the colonial relationship between Ireland and Britain, and cultural nationalism, as seen in activities of the Gaelic League in the late nineteenth century, which promoted the Irish language and 'traditional' Irish culture. Although the Irish Free State in the 1920s was an already-constructed nation with a newly established state, the boundaries of culturally constructed and politically structured Ireland did not quite fit; Irish republican nationalists asserted that the Irish nation was formed of the population of the whole island of Ireland, whereas the political structure of the Irish Free State comprised only twenty-six counties, with the remaining six counties in the north under a Northern Irish 'home rule' government based at Stormont, Belfast.

Irish nationalists in the early twentieth century were anti-Imperial and often anti-British. In an analysis of Irish nationalist historical writing, Mac Laughlin criticises the general style as being "untarnished by 'empiricism

or quackery', it portrays Ireland as the victim of historical misrepresentation and English 'misrule'" (Mac Laughlin, 2001: 137). He later states that "in categorising the English and Anglo-Irish aristocracy as 'alien oppressors' of the Catholic Irish, most popular accounts of Irish history written at the end of the nineteenth century took the focus off the class divisions in native Irish Catholic society. Neglecting the structural roots and indigenous origins of many of Ireland's social problems, they focused instead on the exogenous and ethnic courses of the country's national grievances" (Mac Laughlin, 2001: 142). This reflects what Parekh describes as classic nationalist activity, whose very discourse "cannot avoid offering a homogenized reified and ideologically biased abridgement of a rich, complex and fluid way of life, and setting up false contrasts and impregnable walls between political communities" (Parekh, 1999: 467).

Although there had been an element of British power in Ireland since the thirteenth century, this by no means always necessitated force. The Catholic King James, for example, was widely supported in Ireland, and at his defeat by William of Orange at the Battle of the Boyne in Ireland, he had the support of Irish soldiers. However, the British (often simplified or reduced in Irish nationalist discourses to 'the English') were frequently depicted by Irish nationalists as having aggressively and cruelly ruled a powerless and resentful Irish population. There was an emerging emphasis on establishing Gaelic culture as being in opposition to British culture (evidenced by the founding in the late nineteenth century of the

Gaelic League). Kee cites an example of this in a letter written by Eamon de Valera[9] (who was Taoiseach, or Irish Prime Minister, at the time of the introduction of the Aliens Act 1935).

> In a letter to a friend in February 1918, Eamon de Valera wrote that for seven centuries England had held Ireland 'as Germany holds Belgium today, by the right of the sword'. This is the classical language of Irish separatism and can be very misleading. An Irish nationalism of this sort, which saw England and Ireland as two separate and hostile countries, had itself then only been in existence for a little over a hundred years.
>
> (Kee, 1972 (1981 ed.: 6)

If the Irish nation was constructed in opposition to a significant 'Other', defined as threatening its health and security, this Other, if anyone, would be the British. Rather than developing immigration controls for specifically Irish circumstances, the 1935 Act merely adopted controls from the two preceding UK Acts and reworded them to reflect the legislative context of the Irish Free State, and in particular the new citizenship codes enshrined in the 1935 Citizenship Act. Admittedly, restricting British subjects' rights

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[9] Eamon De Valera (1992-1975) TD; born in New York, brought to Ireland in 1885 by an uncle; Commandant of the Third Battalion of the Dublin Brigade of the Irish Volunteers during the 1916 Rising; imprisoned in England (1916-17); elected for East Clare (July 1917), elected President of Sinn Féin (October 1917); imprisoned in England (1918-19); President of Dáil Éireann (1April 1919 - 9 January 1922); opposed the Treaty; served with the Third Dublin Brigade of the Republican Forces during the Civil War; arrested by Irish Free State troops and imprisoned (August 1923-July1924); resigned Presidency of Sinn Féin (March 1926), founder of Fianna Fáil (May 1926); became leader of the opposition in Dáil Éireann (August 1927); President of the Executive Council and Minister for External Affairs (1932-37); President of the Council of the League of Nations and Acting President of the Assembly of the League of Nations (1932-33); Taoiseach and Minister for External Affairs (1937-48); Minister for Education (September 1939-Jun 1940); Minister for Local Government (August 1941); Taoiseach (1951-54 and 1957-59); President of Ireland (1959-73).

of access to Irish territory would have presented a political challenge. Notwithstanding this, it is unusual that Irish immigration policy (for much of the twentieth century) was designed and structured according to two UK Immigration Acts.

Conclusion

This chapter has established the research problem of the thesis. Irish Free State immigration controls were anomalous within the political context of the early twentieth century. They are also unusual in terms of the prevailing sociological theories that propose rationales underpinning immigration controls. The Free State controls were apparently not designed to protect the Irish population from outsiders, and more specifically, they were in fact based on immigration controls that were reflective of another state's particular national context. The purpose of this thesis is to examine why these controls were introduced, and particularly to explain why they were not designed in the same way as other similar nation's controls at that period. The questions then arise: What was the purpose of this particular piece of legislation? Why was it so designed? What were the motives that underpinned the development of the 1935 Aliens Act? These questions are addressed through developing an explanation of the design of Free State immigration controls, paying particular attention to how political and legislative contexts shaped the final outcome of the 1935 Aliens Act.

Guiraudon and Lahav argue that in immigration studies, "policy outcomes are a product of (a) the struggles between actors in different fields (economy, politics, law), (b) the trade-offs made by elected leaders that face varying pressures depending on the institutional characteristics of each field, and (c) implementation structures" (Guiraudon and Lahav, 2006: 209). The focus of this thesis is the interaction between actors and political, legislative and cultural contexts in developing the 1935 Aliens Act. The research is informed by sociological theory and empirical analyses. However, the research must be historical; the relevant actors are no longer alive; the political and cultural contexts have changed; most of the social and geopolitical structures have been reshaped or replaced by newer versions. This restriction provides a methodological challenge to taking forward this research: can a sociological research problem be addressed through historical research methods? Chapter Two considers the implications of this for the research methodology and methods, and explores the potential strategies for successfully addressing it within this thesis.

Chapter Two: History or Sociology, or an Historical Sociology?

Introduction

The research questions of this thesis focus on investigating why immigration controls in Ireland were apparently not developed according to principles of nation-protecting found in other countries' controls, and as proposed by theoretical explanations of immigration controls. The questions are framed around an historical process. However, the application of sociological theory and the use of an implicit comparative approach in establishing the research problem, also establish the research questions as profoundly sociological in nature. The questions are therefore formulated with the objective of understanding the interaction between structures, culture and agency in the process of designing the 1935 Aliens Act. In analysing the development of Irish immigration controls, the emphasis is on identifying and explaining the key elements involved in a specific historical process.

This chapter explores the potential for a combination of historical and sociological approaches in research. Firstly, the role of historical analysis in the origins of sociology as a discipline is reviewed. The chapter then considers how historical and sociological approaches can be combined in contemporary research. In so doing, it demonstrates why a marriage of these approaches is particularly appropriate for addressing the research problem posed here. Not only are historical and sociological approaches

compatible, but implementing such a mixed disciplinary approach is highly appropriate for explaining social change.

History and Sociology: Commonalities

Through an in-depth examination of an historical case, the objective is to develop a fuller understanding of the mechanisms involved in designing and implementing Irish Free State immigration controls. However, this historical study is posed as a fundamentally sociological research problem; why did not cultural factors, such as a desire to protect the nation, shape Irish immigration controls? The research problem was identified and clarified through an analysis of sociological empirical and theoretical texts. In taking forward the research, the thesis further employs sociological concepts and analytical tools to interpret and explain findings. The research problem of this thesis is therefore both historical and sociological in its underpinnings.

The purpose is to develop an understanding of how a specific historical social change (a new immigration policy) was produced, within a sociological research context. An historical process is its object, but the thesis' research questions have been couched in sociological terms. Tracing the development of Irish immigration policy through the 1920s and 1930s, and explaining how different social contexts influenced the development of the 1935 Act, they address matters of interest to both historians and sociologists. The thesis touches both on historical and sociological concepts and approaches. What impact does this disciplinary

straddling have for how it can be taken forward methodologically? What, if any, might be the differences between history and sociology, and historical and sociological research? Can research be both historical and sociological? Can the two approaches be successfully integrated within this single study, and how?

In analysing social change, sociological research often involves examining the interplay of structure and agency in social processes. Doing this retrospectively, looking at the interplay of structure and agency over a past time-period, requires a research approach that has sociological underpinnings and can also be applied to historical data. Indeed, achieving a comprehensive understanding of the interplay of structure and agency is arguably very difficult without an adequate understanding of their respective interaction over time, and the relative durability of social properties. Society only changes and develops through time; therefore in order to understand how and why it changes and develops, it is both useful and practical, if not necessary, to do so through analysis of a given temporal cycle. Developing explanations arguably requires this type of methodology, encompassing both historical and sociological issues.

Historical Research in the Origins of Sociology

The value of a temporal or historical analysis within sociology is not a new or recent consideration. Many modern sociologists have identified the importance of historical analysis to sociology, particularly in

sociological analyses developing causal or explanatory findings. Gellner commented in the 1950s that, "the problem of explanation in history is also the problem of the nature of sociology" (Gellner, 1956: 156). Because it is often concerned with social development and social change, sociology's value lies in being able to explain, rather than merely describe, events. Carr (1961) advocated that history become more sociological and sociology more historical, which would, he argued, improve the quality of research in both disciplines. Braudel and Giddens were both firmly of the opinion that not only do history and sociology as disciplines share elements in common and should therefore have closer links, but they proposed that there should be no difference whatsoever between social science and history.

> What history is, or should be, cannot be analysed in separation from what the social sciences are, or should be... There simply are no logical or even methodological distinctions between the social sciences and history – appropriately conceived.
>
> (Giddens, 1979: 230, see also Braudel, 1980: 69)

These points, emphasising a necessary and complementary relationship between history and sociology, reflect the methodological approaches practised by early sociologists who first developed the discipline. Marx, Durkheim and Weber all conceived of social and historical analysis as intertwined and inevitably linked. Rather than a separate disciplinary practice, historical analysis was a necessary part of the study of the

social world. Combined with new sociological theories, historical research provided a powerful explanatory potential[10].

Marx, for example, developed his sociological theories through an initial analysis of historical processes. Pinpointing the roots of modern capitalist systems in earlier societies, he identified key features of present day society (e.g. an exchange economy) as outcomes of contingent historical processes. Introducing this historical and social perspective to the study of economics, he demonstrated that "economic" phenomena were also social phenomena, and the existence of a particular kind of 'economy' presupposed a definite kind of society (Marx in Bottomore, 1964). For Marx, history and sociological analysis were inextricably linked: "the history of all hitherto existing society is the history of class struggle" (Marx and Engels, 1967). Marx identified Capitalism, not as an inevitable economic reality (as assumed by many of his contemporary economists), but rather as historically specific and contingent, arguing that it was only the most recent of an historical series of modes of production, and had depended on the pre-existence of earlier forms for its development (Marx and Engels, 1965). Through analysing perceived "asocial" economic systems through the prism of a social and historical approach, Marx

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[10] The discussion of Marx, Durkheim and Weber in this chapter is brief, and intended to focus primarily on their use of history in establishing sociological analysis as a new discipline, rather than on classical social theory. Their work is therefore not presented in detail, but rather as a backdrop to the discussion of historical sociology. The discussion examines how they used history to develop early sociology, and thus establish a new discipline, albeit one based in historical analysis.

developed explanations of social action, underpinned by an understanding of how human activity is influenced and structured by the pre-given social contexts in which it operates.

Although according a primary position to the individual as subject in his analysis of social change, Marx's individual was always rooted in the material and social world that both shaped and was shaped by him. Research into historical forces was therefore crucial to understanding the social activity of individuals and groups. Commenting that "circumstances are changed by men ... and the educator must himself be educated" (Marx in Easton and Guddat, 1967: 401), the dynamic analytical framework of Marx's sociology emphasises the social and historical loci of individuals. Each generation is shaped by a pre-existing social world and in turn shapes the social world into which the next generation is born. Thus is the future contingent on the realities of the present. The social world is "an historical product, the result of the activity of a whole succession of generations, each standing on the shoulders of the preceding one, developing further its industry and its intercourse, modifying its social order according to the changed needs" (Marx and Engels, 1965: 57). Explaining the function and operation of social world elements entails an understanding of the historical processes that lead to the development of these elements.

Marx set out the tenets of historical materialism as a perspective for the analysis of social development (Marx and Engels, 1965). In developing

this new approach to the analysis of social change, he moved away from philosophical and idealistic theories (such as those of Hegel) and set out an approach in which an understanding of historical processes was fundamental to social analysis. His focus in analysing social development was the history of productivity and the evolving productive interaction between humans and nature. The sociological problem of alienation which he identified was therefore to be studied as a phenomenon which could only be understood in terms of the historical development of specific social formations. Marx' work traced the historical development of the division of labour and the emergence of private property. His analysis culminated with the disintegration of European feudalism and the subsequent process of alienation of the peasantry from control of their means of production. The three volumes of *Capital* (Marx and Engels, 1957; 1962; 1970) examine in detail the alienating effects of the progressive development of capitalism. Situating capitalism as only the latest version of a series of economic and productive systems, Marx demonstrated that, as with the modes of production which preceded it, capitalism was inherently an unstable system. He used the examination of historical processes to explain the development of a present-day sociological problem, locating his explanation and understanding of contemporary problems in analyses of the past.

Marx argued that his "method of approach... starts out from the real premises... Its premises are men... in their actual, empirically perceptible process of development under definite conditions" (Marx and Engels,

1965: 38). Emphasising the contingency of social action, he noted that "events of a striking similarity, but occurring in different historical contexts, produced quite different results". Marx argued that only through a focus on the specificity of historical processes, can events be understood, "but we shall never succeed in understanding them if we rely upon the *passé partout* of an historical-philosophical theory whose chief quality is that of being supra-historical" (Marx and Engels, 1965: 60). Through an historically grounded analysis of social processes, Marx developed theories of social action. Groupings of people in relation to systems and actions of production developed particular social relations. "In production, men not only act on nature but also on one another. They produce only by co-operating in a certain way and mutually exchanging their activities. In order to produce, they enter into definite connections and relations with one another, and only within these social connections and relations does their action on nature, does production, take place." (Marx and Engels, 1958: 89). The tracing of relations of production and the expansion of production was best explained by social and historical analysis. Marx's sociological approach was grounded in his research on historical materialism - a dynamic analysis of society - and focused on the explanation of social development and change over time. An initial analysis of contemporary society produces analyses of contemporary social problems, which can only be explained and understood through research into the historical processes whose products they were. This historical research and analysis then produces explanations of the

specific which can be transposed into more general theories of social action and society, potentially applicable to other contexts.

Marx used historical analysis to demonstrate the contingency of the social world and to explain the underlying causality to social processes: his historical sociological work emerging from critiques of utilitarian economics and idealist philosophy. At approximately the same period, questions as to how society progressed and evolved through different social periods were similarly addressed by Durkheim's sociological research. Like Marx, Durkheim too based his social analyses on tracing and explaining the progression and evolution of society through different historical periods. His writing was grounded within the academic context of Saint-Simon and Comte's analyses and interpretations of the decline of feudalism and the emergence of modern society (Giddens, 1971: 65). Inspired by the biological theories of Darwin, Durkheim developed theories of organic evolutionary social development. Within this perspective of evolutionary progress, history, or the passage of time, provided a framework for analysing change in social forms.

Durkheim also criticised orthodox contemporary economics and utilitarian theories as being ahistorical and asocial in their analytical perspectives, arguing that, "in other words, the major laws of economics would be exactly the same even if neither nations nor states had existed in the world: they suppose only the presence of individuals who exchange their products" (Durkheim, 1887: 37). Demonstrating that economic systems

are regulated by norms and structures which themselves cannot be explained solely by recourse to economic theory, his critique of economics provided a basis for Durkheim's development of social and historical systems analyses. Identifying changes in the division of labour as the source of changes that led to the emergence of modern society, Durkheim concluded that an analysis of the expansion of the division of labour in both historical and sociological terms was required to explain and understand the causes of the contradictory moral ideals he identified within modern social systems. His methodologies for social analyses were profoundly historical and also comparative. In order to understand the significance of differentiation in the division of labour, he developed an approach whereby analysts would compare and contrast the principles according to which the 'less developed' societies were organised and those governing the organisation of the 'advanced societies'.

Durkheim's sociology proposed two main approaches for the explanation of social phenomena, the functional and the historical. The historical approach to social analysis could be used, for example, in times of rapid social change, when functions of particular social forms were not yet stabilised; "when the entire type is in process of evolution, without having yet become stabilised in its new form". It would then be necessary to analyse "the conditions which determined this generality in the past and ... then investigate whether these conditions are still given in the present" (Durkheim, 1964: 61). Durkheim consistently emphasised, as did Marx, the historical context and location of individuals and established the

causal analysis of historical development as integral to sociology: "history is not only the natural framework of human life; man is a product of history. If one separates men from history, if one tries to conceive of man outside time, fixed and immobile, one takes away his nature" (Durkheim, 1920: 89). Durkheim's evolutionary framework for the analysis of social facts, focussing on the development from traditional to 'advanced', modern societies, demonstrated the importance of historical analyses for understanding and explaining social change. Using concepts of historical progression and evolution to identify the causality and rationale of social facts, Durkheim's sociological methods were informed by a belief that society could not be understood and explained without an historical analysis that could trace the evolution of social world functions.

Weber, as the third of the 'founding fathers' of sociology, adopted a similar focus in his work to that of Marx and Durkheim: the nature of the modern world, and capitalist enterprise in particular. Weber's sociological analyses were addressed at identifying the specific characteristics of modern capitalism and the conditions governing its emergence and development. However, his first works were detailed historical studies. His early research was thus grounded in an historical perspective. Based on specific problems that emerged from the analysis of the German historical school, Weber developed the range of his writings to address issues of a more general and theoretical nature. Through his doctoral dissertation's (1889) analysis of early Roman agrarian history (the first of several later writings examining the social and economic structure of the

ancient world) he identified in ancient society precedents of the social structures and forms of modern society (as did Marx before him). Weber perceived in ancient Rome origins of key elements in the formation of modern capitalism. Weber thus developed a sense of the dependence of latter day social forms on earlier social structures.

Weber's methodological approach (as demonstrated in the *Protestant Ethic and the Spirit of Capitalism,* 1958) first involved identifying a sociological problem for explanation. In this case, he identified trends in modern Europe that "business leaders and owners of capital, as well as the higher grades of skilled labour, and even more the higher technically and commercially trained personnel of modern enterprises, are overwhelmingly Protestant" (Weber, 1958a: 35*)*. He then used an historical analysis to explain the development of this trend, identifying the Reformation and the concept of the 'calling' as providing an impetus for economic activity hitherto absent from Catholicism. Weber shared with Marx and Durkheim a conception of the social world as dynamic and continually evolving, building on preceding social forms and structures.

Weber strongly criticised approaches such as naïve historical materialism: "we must free ourselves from the view that one can deduce the Reformation, as an historically necessary development, from economic changes" (Weber, 1958a: 90-1); and historical idealism; "each", he says, "if it does not serve as the preparation, but as the conclusion of an investigation, accomplishes equally little in the interest of historical

truth" (Weber, 1958a: 183). Like Marx, he emphasised the importance of the specificity of individual historical contexts. The principal object of the social sciences was therefore "the understanding of the characteristic uniqueness of the reality in which we move". Social science was to be primarily occupied with identifying "on the one hand the relationships and the cultural significance of individual events in the contemporary manifestations and on the other the grounds of their being historically 'so' and not 'otherwise'" (Weber, 1949: 72). The historical contingency of the social world was key; "externally similar forms of economic organisation are compatible with very different economic ethics, and, according to their particular character, may produce very different historical results" (Weber, 1958b: 267-8).

Weber's writings demonstrate the value of combining historical and social analyses. Through a comparison of the developed social structure of modern capitalist bureaucracy with those of ancient Egypt, China, the later Roman principate, and the mediaeval Catholic Church, he identified key developments that led to modern society (such as the advance of bureaucratisation in the modern world) as being directly associated with the expansion of the division of labour in various spheres of social life (similar to the analyses of Marx and Durkheim). Weber emphasised the significance of the heritage of Roman law for the subsequent social and economic development of Europe, and in particular for the rise of the modern state. "Without this juristic rationalism, the rise of the absolute state is just as little imaginable as is the [French] Revolution" (Weber,

1958b: 94). The structures of contemporary society were grounded in those of the societies that preceded it. Sociology, as the study of society, thus necessitated a profoundly historical approach for the explanation and understanding of these structures.

Marx, Durkheim and Weber, as the disciplinary founders of modern sociology, identified historical analyses as some of the tools of a broad social science discipline, and integral to the quest for explanation of social action and social change. Marx demonstrated the importance of historical analysis for understanding the underpinnings of social structures. Durkheim proposed functional and historical analyses as methodologies for sociology: the former aimed at explaining the purpose and function of a systemic feature, the latter at explaining its evolution and causality. Weber similarly proposed a combined theoretical and historical approach to the analysis of society. Sociology "shall be taken to refer to a science concerning itself with the interpretive understanding of social action and thereby with a causal explanation of its course and consequences" (Weber, 1968, vol. 1: 4).

Sociology, in its early development, was fundamentally intertwined with historical analysis; it used historical approaches to explain the underpinnings of contemporary social issues. A common methodology of these first sociologists was their use of sociological analyses of the contemporary social world to identify social phenomena for further research and analyses, with the application of historical analyses to

explain how these phenomena evolve over time. Combining sociological and historical approaches in this way provides a strong foundation for the identification and explanation of key social trends and forms. It is historical analysis which provides explanation of social action, as history "is directed towards the causal analysis and explanation of particular, culturally significant actions, structures and personalities" (Weber, 1968, vol. 1: 19).

Twentieth Century Sociology: the Move away from Historical Analysis

Classical social theory and its strong historical grounding provided a firm basis for the development of sociology as a distinct academic discipline. Parsons's structural functionalism (Parsons, 1951) was heavily influenced by Durkheim's works. It denoted the first significant conception of society in American sociology, and a major paradigm for twentieth century sociology. However, critiques of functionalism have argued that it is an essentially conservative philosophy, seeking to explain the need for stability and social order (Gouldner, 1971). It "fails to provide an adequate analysis of social change and social conflict; the historical basis of society as a *process* and structure is assimilated to a static concept of social solidarity and social consensus" (Swingewood, 2000: 141).

Functionalism was by no means the main sociological approach developed from the work of the three classical social theorists. Blumer's symbolic interactionism (1969) was heavily influenced by Weber, and conceptualised society, in contradistinction to functionalism, as a

developing network of interactions and relations, rather than something external to actors. The later development of structuralism as an anthropological and Marxist sociological approach (Levi-Strauss, 1968; Althusser, 1969; 1971), and on the other hand, micro-level individualist approaches focussing on interaction (Goffman 1956), and ethnomethodology (Garfinkel, 1984) increased the divide in the discipline between the sociological theories emphasising the pre-eminence of social structures, and those emphasising agency as the locus of meaning and change. As sociology developed through the twentieth century, the concept of society as an external objective structure was increasingly criticised and the post-structuralist and post-modern movement in particular gained ground both within the sociological disciplinary debate but also across academic disciplines, including history.

Best demonstrated in the works of Foucault (1977; 1979; 1980) who, moving away from Weber and Durkheim's sociological approaches, abandoned "the idea that history discloses an underlying meaning, pattern or structure and that the task of the social sciences lay in developing concepts and theories which provided coherence to this process. Such 'global discourses' Foucault describes as 'tyrannical ' because they assimilate a vast range of diverse and complex practices to a single dominant structure" (Swingewood, 2000: 195). Foucault stressed that the analysis of power, and society, must begin not from a central locus, but from the "infinitesimal mechanisms, which each have their own history, their own trajectory, their own techniques and tactics"

(Foucault, 1980: 98-99). The early disciplinary visions for a sociological or historical 'project' or unifying disciplinary approach were unravelled.

In the 1960s, Carr criticised the growing (postmodern) tendency towards the 'unique' interpretation in history, that rendered generalisation and comparative analysis, and by extension historical analysis itself, redundant.

> Insistence on the uniqueness of historical events has the ... paralysing effect [of]... 'Everything is what it is and not another thing'. Embarked on this course, you soon attain a sort of philosophical nirvana in which nothing that matters can be said about anything.
>
> (Carr, 1961: 57)

Such moves were also evident in sociological theory and research, which in response to critiques of meta-narratives, moved increasingly towards discussion and analysis of individual experiences and extreme reflexivity, which likewise threatened to render sociological analysis obsolete.

By the late twentieth century, a scholarly distinction had developed between the two disciplines. History was conceived of as connected with the specific and evidential, whereas sociology was grounded in the theoretical and generalizable. An initiative began, to re-establish and reassert the possibility of objective historical and sociological research and analysis in the late twentieth century, and to reclaim the interdisciplinary territory that had faded into insignificance following postmodernist influences. This also resulted in moves to emphasise the

interrelations between both disciplines and to bring historical and sociological theory and research once more together.

History and Sociology in Contemporary Social Analysis

Abrams (1982) proposed the necessity of (re-) integration between history and sociology, commenting that "many of the most serious problems faced by sociologists need to be solved historically" (Abrams, 1982: ix). History needed to be recognised as sociological (theoretical), and sociology should be focussed on the historical development of social action. He argued that, in his understanding of both history and sociology, a discussion of the relationship between the two disciplines was beside the point, because;

> In terms of their fundamental preoccupations, history and sociology are and always have been the same thing. Both seek to understand the puzzle of human agency and both seek to do so in terms of the process of social structuring. Both are impelled to conceive of that process chronologically... Sociology must be concerned with eventuation, because that is how structuring happens. History must be theoretical, because that is how structuring is apprehended.
>
> (Abrams, 1982: x)

In pushing for a recognition and acceptance of a necessary cohesion between historical and sociological disciplines, Abrams echoed the writings of earlier sociologists, commenting that, "sociological explanation is necessarily historical. Historical sociology is thus not some special kind of sociology: rather, it is the essence of the discipline" (Abrams, 1982: 1). Specifically, as sociology moves from "what?" research questions to

"why?" research questions, an historical analysis becomes fundamental. When the sociological task is that of explanation, rather than merely description, the focus of analysis needs to include the structuring of social relations, which itself is processual and occurs only through action over time. A temporal understanding of structural and agential relations is not only desirable, but a necessary element in the achievement of sociological explanations.

> It is through historical analysis that we can begin to piece together what feels like a sociologically adequate understanding ... What we are after is an account in terms of action and structure, of the social process of how [our welfare system] came to be put together in this particular way.
>
> (Abrams, 1982: 10)

Kendrick, Straw and McCrone shared Abrams' view of the importance of historical analysis in sociology. They commented that, in order to understand contemporary social structures and activity "an understanding of the past is not simply desirable for reasons of conceptual comprehensiveness ... but is rather a necessity ... We are not interested in the past for its own sake, but rather because it is a vital component in making sense of the present" (Kendrick, Straw and McCrone, 1990: 5). Within this conception of sociology, historical events are not just interesting in terms of past processes and structuring, but because they will provide a key to explanation and understanding of how society is structured today.

In a refinement of this theoretical conjoining of history and sociology, Smith (1991) recognises the importance of the connections between the two disciplines, but does not argue as strongly as others for a complete synthesis. His view of the relations between history and sociology is more akin to a Venn diagram, where historical sociology is the intersection between the two circles of history and sociology, which necessarily encompass other, wider issues. "To oversimplify, historical sociology is the study of the past to find out how societies work and change" (Smith, 1991: 3). Sociology does not have to be historical: neither does history necessitate drawing on sociological techniques. Historical sociology is one element where the two disciplines meet and is practiced by both historians and sociologists "who investigate the mutual interpenetration of past and present, events and processes, acting and structuration. They try to marry conceptual clarification, comparative generalization and empirical exploration" (Smith, 1991: 3).

Burke shares this view, regarding history and sociology as complementary but different, rather than necessarily made of the same stuff. He comments that:

> Sociology may be defined as the study of human society, with an emphasis on generalizations about its structure and development. History is better defined as the study of human societies in the plural, placing the emphasis on the differences between them and also on the changes which have taken place in each one over time. The two approaches have sometimes been viewed as contradictory, but it is more useful to treat them as complementary. It is only by comparing it with others that we can discover in what respects a given society is unique.
>
> (Burke, 1992: 2)

Tilly also recognises the explanatory power of the interdisciplinary field of historical sociology, and sees it as making a valuable contribution to other sociological debates, as it can draw attention to problems that are "prominent in historical analysis and in lived history, but somehow remain neglected in sociology. Most notably, it can force sociologists to examine how the residues of action at a given time constrain subsequent action" (Tilly, 1990: 16). This emphasis on the value in applying sociological theory to an historical research context then raises an issue for sociological research - that of which theoretical framework is most suitable to the research problem.

The methodological approaches developed by the early sociologists and reasserted in the late twentieth century, reclaiming the nascent connection between history and sociology, suggest that not only is there no internal contradiction in a research study that simultaneously addresses issues of historical and sociological interest, such as this one, but that sociology and history are most usefully combined to increase explanatory power (Wickham, 1991). This thesis embodies the disciplinary crossover. However, developments in the two fields since the days of the earliest sociologists mean that history and sociology can now be methodologically combined to even greater effect. Whereas Marx, Durkheim and Weber had few precedents in sociological analysis, contemporary sociologists have a wealth of theory and evidence to work with, and on which to build analyses. The first sociologists used history as a means to explain social problems, because little sociological research

and evidence then existed. It was not evident that sociological techniques could also be applied to historical research, with beneficial outcomes. A challenge for this study is to draw on the most useful and applicable aspects of both established disciplinary practices – the sociological research will be historical, but this historical analysis can also be made sociological. Through a detailed and causal analysis of historical research problems, researchers can develop explanations that speak to other experiences and examples, wider than those specific and unique processes within the scope of empirical research.

If history and sociology do not amount to the same discipline, it is arguable that the point at where the disciplines merge – historical sociology – is precisely the disciplinary realm within which this research problem is most appropriately situated. Abrams proposes that the key task for an historical sociology is "to discern the specifically *historical structuring* of action without falling into the trap of separating structure from action or postulating a theory of history in which a succession of structural types... has an existence independent of the creation of structure through action" (Abrams, 1982; 108, original emphasis). The focus of this thesis is to uncover the interrelations between different social contexts, or between structure, culture and agency, in the development of Irish Free State immigration policy. The key question here is how to achieve a comprehensive understanding of the "historical structuring of action" that Abrams and others have referred to. Although noting that some historians have difficulty accepting a role for theory in historical

analysis, Burke argues for a strong theoretical element in historical sociological research, commenting that "without the combination of history and theory we are unlikely to understand either the past or the present" (Burke, 1992: 19).

There is value in applying sociological theories to the interpretation of historical evidence, as this can assist in explaining how and why actors behave as they do, by pointing to the way activity is conditioned by the structures and cultures within which it is located. Bryant comments that "a synthesis of historical and sociological analytical logics provides the most effective response to our most urgent interpretive challenges ... [combining] two necessary and complementary protocols for enhanced objectivity – source criticism and the sociology of knowledge – that ... provide historical social science with epistemic warrant" (Bryant, 2000: 491).

In practical research studies, how can this combination of sociological theory and historical research be taken forward most effectively? Hay suggests that the more traditional detailed and discursive presentation of historical research could be:

> beneficially replaced by organisation and analysis of historical evidence based on theories developed in the social sciences ... History could and should become more sociological in the sense that historians should seek out and analyse historical evidence and historical problems in the light of theories developed in the social sciences; these theories should be the guiding principles around which their accounts were to be organised.
>
> (Hay, 1991: 28)

Abrams notes that 'how it happened' questions present difficult problems of explanatory strategy. However, as he acknowledges, neither historians nor sociologists have intellectual primacy in addressing such issues, which present themselves in equal measure to researchers in both disciplines. Both historians and sociologists in confronting this problem therefore have to proceed in terms of the idea that causality and significance are located in the linking and phasing of actions and conditions. For both, the task involved in explaining historical events is more than narrating a story in which "happening is 'something more than contingency, something less than necessity'. Beyond that explanation is a debate between the story (or facts) and a theory of cumulative causation" (Abrams, 1982: 313-314).

Historical sociology is, on the one hand, the attempt to understand the relationship between agency and experience, and on the other, the continuous construction of social organisation through time; "it makes the continuous process of construction the focal concern of social analysis," (Abrams, 1982: 16:). Bryant highlights the importance of theoretically informed analyses to the study of the structuring of agency. The dialectical nature of the human condition – that we are both shaped by and constantly shaping our social worlds – "*mandates a theoretical logic that synthesizes agency and structures by grounding or embedding events, processes, and actors within their determinant and fluxional contexts*" (Bryant, 2000: 512: my emphasis).

Demonstrating the value of sociological methodologies to historical analysis, Burke outlines specifically how social scientific theories can be of practical use to historical research. Acknowledging many historians' complaints that models will always omit specific contextual details, he argues that "like a map, its [a model's] usefulness depends on omitting some elements of reality altogether... [A model] is an intellectual construct which simplifies reality in order to emphasize the recurrent, the general and the typical" (Burke, 1992: 28). A model provides the analyst with a bird's eye view, allowing and indeed often enabling the targeting and identification of key points in a cycle, where for example, a causal link can be located. When encountering a wealth of detailed, potentially unwieldy and messy historical and sociological data, a model facilitates a logical ordering of the data.

Although there is a potential argument against the use of a model in research practice, in that such an application could predetermine the results of analysis, inevitably all social or historical research is guided and informed by theory and assumption, even that research where no explicit reference to theory is made. As researchers' activities are always embedded in their own particular structural and cultural contexts it is impossible to conduct research without reference to or influence from these social world realms. Elaborating in more detail, Abrams notes that the focus of our studies "is not something objectively given and observed by us in a 'presuppositionless' way ... We study what is significant for us

and we explain the problems we study in terms of their significance for us" (Abrams, 1982: 78).

Even without the guiding hand of a theory pointing to certain events or processes as possibly key, analysts will bring their own assumptions and opinions to the reading of evidence. It is never the case that the evidence speaks for itself; it is always, of necessity, interpreted. Interpretations do not entail inaccuracy or misrepresentation, rather they demonstrate how one single event or piece of evidence can be important for a multitude of different reasons, depending on the research questions that are brought to the evidence by different analysts. "What theory can do," Burke argues, "is to suggest new questions for historians to ask about 'their' period, or new answers to familiar questions" (Burke, 1992: 165). In his account of the key importance of scientific theories to social science, Hull, quoting van den Haag, comments that, "the historian, in the first place, is interested in proving the facts. The scientist is interested in what the facts prove. Yet in stressing particulars, historians do not renounce science. They use it, as a court of law does when investigating the past actions of an individual" (van den Haag, in Hull, 1975: 264).

This use of theory as a directing, guiding analytical tool, to become aware of problems and "to find questions rather than answers" (Burke, 1992: 20) is arguably how high-level social world theories are most productively used, and how it is anticipated that theory will be employed in this study. Theories alone cannot provide an explanation of action, apart from at a

very abstract level. They omit the detail of the specific, and so cannot necessarily point to generalizable explanations across different situations. What they can do, though, is direct and funnel analytical effort so that explanations of the specifics can be found more readily in the evidence or data; and also enable a comparison of how different or similar causal mechanisms operate in different circumstances.

Although the analytical endpoints and conclusions in different processes or structural cycles will vary, having a common starting point of a theoretical or analytical framework enables a more direct comparison of these differences, and potentially offers a clearer understanding of why variance of process outcome might exist across different societies and different historical contexts. The raw materials of history are vast, endlessly complicated and infinite. Therefore, Abrams argues, to make sense of the chaos of history we must start by "bringing to it some ideas of our own about the patterns that might exist within the flux and about how such patterns are produced and changed" (Abrams, 1982: 15). Carr likewise commented that:

> Just as from the infinite ocean of facts the historian selects those which are significant for his purpose, so from the multiplicity of sequences of cause and effect he extracts those, and only those, which are historically significant; and the standard of historical significance is his ability to fit them into his pattern of rational explanation and interpretation.
>
> (Carr, 1961: 99)

Historical Narrative and Sociological Explanation

A further contested point among historians and sociologists concerns the presentation of findings and evidence, and linked to this are arguments against the general validity of historical, and by extension, historical sociological, narrative explanation. Specifically, in taking as the evidence-base old documents, files, possibly even recordings, relating to the past actions of people, how can analysts explain what really happened? What kind of knowledge about the past is it possible to produce and what is the status of this knowledge? As Bryant comments, this is not just a factor that affects and speaks to historical research only, but more generally applies to social scientific research, and particularly, the form of historical sociology.

> Epistemologically central in this debate is the status of our knowledge-claims regarding the historical past, an issue that bears directly on the viability of each of the social sciences, seeing that an evanescent present provides far too narrow and particularistic a base for advancing theoretical comprehension of social life in all its diversified complexity.
>
> (Bryant, 2000: 489-90)

The roots of this debate can be traced to the more existential question: how can we know what is true? How can an historian discuss or explain a society that is past? How can an anthropologist understand the meaning of a custom from a culture in which she is a stranger? How can a sociologist ever really know that the social problem she has identified actually exists? Of course, the first response has to be that such confirmation can never be achieved. Definitive epistemological certainty

is generally beyond the grasp of social scientists, whose work often addresses the intangible. In most social scientific analyses, some form of hypothesis usually features. Were historical or anthropological or sociological understandings obvious and easy to determine without the use of assumptions or intelligent guesswork, there would be very little intra-disciplinary debate: conclusions would be quickly drawn and unanimously accepted. In all history, as in all sociology, and as in this thesis, conclusions must be developed and pieced together from the available evidence. The evidence may vary in depth and comprehensiveness; some hypotheses or theories may be more easily rejected or confirmed than others which may never be evidenced, but the essential work of the analyst is not to simply identify and describe the evidence. It is rather to provide a plausible interpretation, in such a way as to construct an explanation of why events happened the way they did, an explanation that the evidence will realistically support.

Further, accepting as inevitable the partial nature of sociological or historical accounts is not the same as accepting that sociological and historical accounts are fundamentally biased and epistemologically unsound. Although sociology and history do involve the use of intelligent and informed guesswork, the important words in this phrase are "intelligent" and "informed", not "guesswork". An historical sociologist does not invent accounts of the past: explanations must always be based on a careful and precise interpretation of the available evidence. Rigorous and precise research reporting should draw attention to any

shortcomings and gaps in evidence, and consequently highlight areas where hypotheses may be less well confirmed than others.

As other sociologists have also perceived with reference to the problem of epistemic fallacy, Bryant notes that incomplete evidence sources in some cases and the opacity of evidence in others, will often together preclude "interpretive closure" in many research processes. However, he is careful to caution that this lack of interpretive closure does not permit an "anarchic 'anything goes' or an indiscriminate acceptance of any and all 'hybridic theoretical hunches'" (Bryant, 2000: 502). Where the evidence is inconclusive, this does not mean that either no account or any explanation whatsoever can be proffered, rather the strength of interpretation and analysis should vary to reflect this. Bryant argues strongly that "where source materials are thin and disconnected, interpretations will be more speculative; where evidence abounds, varied and densely interconnected reconstructions will gain in specificity, scope, and cogency, and thus in grounded plausibility" (Bryant, 2000: 502).

Any explanation must involve a full explication of the assumptions lying underneath the various hypotheses therein. Abrams (1982) notes that there can be many differing or conflicting historical interpretations of the same episodes, events and experiences, and argues that in trying to decide between conflicting or alternative accounts, we must not simply appeal to the evidence but "must also examine the assumptions underpinning the different accounts and ask how far the evidence

marshalled in any particular account is, from our point of view, limited or distorted by those assumptions" (Abrams, 1982: 19). The use of sociological theory assists in laying bare the inferences underpinning the research practice: it makes explicit what might otherwise remain the researcher's implicit assumptions regarding how the social world works, which will inevitably influence how the research is conducted and what conclusions can be drawn. The explicit use of theory makes research a more honest process.

Within the historical sociological approach, there is a further question of how to present and interpret research evidence while clearly highlighting as far as possible the assumptions and theoretical processes that have informed the research approach and analysis. In historical research, evidence sources will often come from archives, or perhaps from interviews with key stakeholders in the process if they are available for comment, as opposed to surveys or ethnographic techniques. One way of presenting this type of evidence coherently, while still enabling the researcher to draw attention to the theoretical underpinnings of the research is to use a narrative approach. Some historians and sociologists caution against the use of narratives for presenting evidence (arguing that they are less objective or less scientific than other approaches, as they are more vulnerable to manipulation by the researcher). It is not clear though, that it would be possible to establish an analytical technique that is not vulnerable to manipulation by the researcher. In any case Bryant, in considering this point, concludes that such concerns with a narrative's

potential rhetorical sweep are less pressing than the value of narrative in coherently explaining the "processual and structural logic of situated social action" (Bryant, 2000: 514). He further comments that literary or rhetorical techniques deployed for explanatory purposes "are epistemologically subordinate to the social-scientific imperative of detecting the particular constellation of social forces and relations that constituted the entities, events and trends under investigation" (Bryant, 2000: 515).

Abrams, on the other hand, does raise concerns with the use of narrative in historical sociology. While conceding its value in helping explain clearly and comprehensively the unfolding of historical processes, he voices doubts about its ability to cope with the weight of theoretical constructs, and its capacity for explaining the historical structuring of action. To his mind, a narrative technique cannot cope with the challenge of revealing the structuring process;

> Because if knowledge and debate are to accumulate it is necessary to place one's explanatory design with all its connections and weightings of connections, assumptions of significance and inferences of structuring squarely before the reader, to allow one's work to be seen for what it is, an argument related to a theoretical design rather than a story naively accomplishing an inarticulate sense of it.
>
> (Abrams, 1982: 310-312)

It is difficult to see what other explanatory tools might be available to an historical sociologist. While it is true that the language of theoretical frameworks might be vulnerable to interference in a narrative account of

social processes, as Bryant comments, the use of theoretical frameworks in a narrative context should provide a counter-balance to the power of "rhetorical sweep". Although cumbersome, the presence of theoretical phrases within a narrative account will serve to consistently remind the reader that what they are reading is a construct; or rather, one person's reconstruction of an historical process. Through explicit discussion of theoretical assumptions by the author, readers should be able to identify the assumptions and hypotheses that underpin the analysis. Bryant comments that the fruits of a transdisciplinary consolidation of historical and sociological approaches should generate "explanatory narratives of greater sociological sophistication as well as theories and concepts with a higher degree of purchase on historical reality" (Bryant, 2000: 515). Elton likewise comments that "to be satisfactory and in order to avoid the charge of superficiality, historical narrative must, as it were, be thickened by the results of analysis" (Elton, 1967: x). The narrative cannot flow as a story; it must also explicitly discuss and review the theoretical assumptions underpinning it.

Conclusion

The thesis combines the detailed single-context analysis of historical research with an application of theoretical approaches in structuring its analysis and in drawing conclusions. Theory assists in structuring and organising the analysis of historical evidence, so that key points in the process can be more readily identified, and the interrelationships between context and actors made clearer. It is also usefully applied in the

interpretation of findings, enabling a potential generalisation from the unique context of the development of Irish Free State immigration controls to other similar contexts. Using a theory to analyse and interpret evidence enables the researcher to move from the locally and historically specific to the general. Matching the particular evidence of the development of Irish Free State immigration controls to a macro-level social theoretical framework enhances the opportunities of applying the findings to other, theoretically similar examples. The use of theory also mitigates against the risk identified by Abrams that narrative accounts can sweep a reader along with rhetoric.

Theory is thus proposed as a research tool for the analysis and interpretation of the historical research findings. The task is not to only make the sociology historical in focus, but also to apply sociological techniques to this historical analysis. A sociological theory and ontology that complements and facilitates historical analysis is required to deliver the explanation of social change that is the fundamental objective of this thesis. Shaping the research into historical processes through the application of sociological theoretical frameworks will elucidate the historical structuring of the development of Free State immigration controls.

Rather than using a theory whose focus is either on the determining influence of structures on agency or on how the social world is explained only through agents and their actions, the theoretical approach for the

thesis should facilitate an examination of both structural and agential involvement in moulding and shaping the social world over time. The following chapter proposes realist social theory as an appropriate theoretical approach that enables such a study of structure and agency. Realism is a particular theoretical approach, associated with a number of authors including Margaret Archer, whose work will be specifically applied in this thesis. Realism theoretically conceptualises the social world as constituted of analytically different elements, but which are in practice necessarily and intrinsically interrelated. The relationships between structure and agency are at the heart of the research problem: therefore the realist theoretical approach that analytically separates structure from agency, and facilitates an examination of their interaction, is suggested as particularly appropriate for this research problem.

Chapter Three: Macro-level Social Theory; Structure, Agency, Realism and Morphogenesis

Introduction

This thesis, investigating the development of Irish immigration controls, involves a detailed examination of the interactions between culture, structure and agency over time. This speaks to wider issues of social scientific theory and investigation. Researching a policy or legislative development process involves an understanding of how political, social and cultural contexts shape and inform social activity, and of how social actors and agents introduce new features to that context. The Irish Free State Aliens Act (1935) was both heavily influenced by its immediate context, and contradictory of wider trends in immigration controls. A sociological approach that overly focuses on either structure or agency, or that does not separate the two analytically, cannot account for this process of social change. Rather, an approach that analytically separates structure from agency can facilitate an analysis of how people's actions are influenced by social structures, and how social structures are shaped by the actions of individuals.

This chapter argues that the realist approach, which stratifies the social world and conceptualises social structures as having independent causal powers, though mediated through human activity, provides a greater potential for explaining social outcomes. In demonstrating the analytical value of using a realist stratified ontology, the chapter first (briefly)

discusses the lack of explanatory power in a theory that merges structure and agency. It then sets out the realist ontological separation between structure and agency, before reviewing in more detail a specific realist theoretical framework proposed by Archer (1988, 1995, 2000) – that of the 'morphogenetic cycle'. It considers some criticisms of the morphogenetic approach, and demonstrates why it is particularly appropriate for the research problem in this thesis, which is focussed on the interaction between structure and agency over time.

Structure or Agency? Addressing the Sociological Challenge

Bauman noted that the "history of sociology has thus far been a graveyard of failed attempts to overcome theoretically the ... contradiction between people making history (society, system, structure etc.) and history (society, system structure etc.) making people" (Bauman, 1989: 36). To explain how structures and cultures influenced the shaping of Irish Free State immigration controls, a strong focus on the activity of social actors and agents is important. Structural and cultural contexts become relevant when people try to take action: it is only then that obstacles emerge in their way and constrain the ability of the actors to achieve their aim. Structures themselves cannot act, but they can and do shape and influence agency. Without reference to agency, it is not possible to understand why some structural or cultural properties (for example, domestic political concerns such as protecting the nation) might be relevant to explaining social transformation in some contexts but not in

others. It is agency that, through drawing on the external structural and cultural influences in the social world, causes social change.

Referencing both structure and agency is vital for developing comprehensive explanations of social change. One well-known approach that incorporates the two in its ontology is structuration theory, developed by Giddens in the 1970s. Structuration theory represents a distinct attempt to develop a solution to structure and agency and became an influential social theory in the late twentieth century. It aimed to incorporate both structural and agential perspectives to sociological analysis, moving away from the prevalent opposition of structures controlling powerless agency, or the social world consisting only of agents and their activities (Bryant and Jary, 1991). Kilminster describes it as being "conceived as a metatheory of action relevant to all the social sciences, a conceptual effort of synthetic theory construction designed to consolidate current developments in theory and reconstruct the orthodox consensus" (Kilminster, 1991: 102).

The theory of structuration (Giddens, 1976 and 1977) emerged from a recognition that previous sociological schools of theory such as structural/ functionalist or individualist methodologies had tended to overstate the case of either structure or agency in shaping the social world (Held and Thompson, 1989: 3-4). Structuration theory attempts to overcome the deficiencies in both models and show how "social structures are both constituted *by* human agency, and yet at the same time are the very

medium of this constitution" (Giddens, 1977: 121). The objective is to go beyond what had been a traditional sociological debate, and forge a new theory, which would bring together the key elements of structural-functionalist and individualist approaches. Sica describes structuration theory as Giddens' attempt to "find that "virtual" point where the subject thrives and structure patterns this thriving, yet each remains somehow genuine and inviolable" (Sica, 1991: 48).

Giddens refers to the 'duality of structure', whereby action and structure are conceived of as two sides of the same coin; "to enquire into the structuration of social practices is to seek to explain how it comes about that structures are constituted through action, and reciprocally how action is constituted structurally" (Giddens 1976: 161). Although structuration theory was developed for the type of research problem addressed within this thesis, there are specific aspects of the theory that render it inappropriate for this type of research. In moving away from the structurally determining aspects of structural functionalism, structuration theory arguably overemphasises the powers of agency, and this inhibits an analysis of how agency is influenced by structure. Its individualism prohibits a concept of structure as external to agents, and this results in it being descriptive rather than analytical and limits its explanatory potential of causality. Structuration theory, according to Craib, "tells us the ingredients of the meal, not how they have been prepared, how they are organised on the plate, or in what order or how we should examine them" (1992: 110, see also McLennan, 1984: 125; Vaughan, 2001: 198).

Some agents are more successful than others in achieving their objectives, with only a limited structural constraint and acting to reproduce or change structures. Likewise, some structures are more successful than others in shaping agency, but there is no clear means within structuration theory of identifying which structures are the more important in either constraining or enabling action (Thompson, 1989). Within the framework of the theory it is not possible to determine what types of structures or rules are more important than others, or why some actors have more efficacy in changing structures than others. Mouzelis notes that structuration theory "unavoidably leads to a neglect of hierarchically organized collective actors and their differential contribution to the reproduction and transformation of social systems" (Mouzelis, 1991: 40, see also Gregory 1989; Vaughan, 2001).

Stratifying the Social World: the Structure/Agency Distinction

Structuration theory lacks an adequate conceptualisation of power, both in agential and structural terms, as is noted by Layder (1985), who argues that Giddens' concept of power relations is achieved "*at the expense of* a truly structural notion of power, in which the prior and compelling aspects of structural constraints are fully recognized in a theoretical sense, and which understands structures as pre-existing objective relations of domination and subordination" (Layder, 1985: 140, original emphasis). He proposes an alternative (realist) conception of power that is:

> *Relatively* independent of agency, but that agency, for example in the form of *exercises* of power, is always subject to the influence of structural power. Power structures are relatively independent of agency in the sense that although they are social products, and thus the outcome of human action at specific historical junctures (in the form of individual or collective struggles, conflict, diplomacy, reform etc.). Once established, such structures develop over time to attain an existence which sediments them as *constraints* on future agency.
>
> (Layder, 1985: 133, original emphasis)

This (realist) classification of power is arguably more useful and practical in analytical terms than Giddens' rather flat depiction. Due to its overactive notion of agency and flat depiction of power relations, structuration theory does not enable the development of adequate causal explanations. Although claiming to provide an ontology of how structures are reproduced or transformed through action, a research process informed by structuration theory cannot tell us how or why those structures are reproduced or transformed.

Citing Archer (1982: 261), Vaughan points out the shortcomings of structuration theory in causal explanation:

> The theory does little to tell us in advance when a regime may be undermined. Structuration theory, in trying to imagine structure and agency as two sides of the same coin, only gives us a blurred picture as the "duality of structure" oscillates between two moments: accentuating agency with action as inherently transformative and emphasizing structure with order reproduced. This tells us nothing about when "actors can be transformative (which involves specification of degrees of freedom) and when they are trapped into replication (which involves specification of degrees of constraint"
>
> (Vaughan, 2001: 192; see also Johnson, 1990)

A consideration of the circumstances in which cultural or structural properties might be more or less influential on those developing immigration policy, invaluable for this thesis, is not possible through the application of structuration theory. Vaughan comments that the problems of structuration theory can be remedied "by recognizing the distinctiveness of structure and agency and elaborating a method that would allow us to estimate their respective influences" (Vaughan, 2001: 198). Conceiving of agents as possessing differential degrees of power in given contexts or structures enables a fuller explanation of how and why different social agents have different degrees of success and failure in influencing, for example, policy processes, and also of facilitating an understanding of any constraints on this agential power (why agents, for example, even the most powerful, rarely get exactly what they set out to achieve). This moves the analytical process away from the overactive sense of agency present in structuration theory (Held and Thompson, 1989; Vaughan, 2001). A different approach is required to explain causal processes in the social world.

Rather than merging structure and agency, a realist approach analytically separates the two, and allows each independent causal powers (see for example, Lockwood, 1964; Bhaskar 1975; Archer 1988, 1995, 2000; Layder 1985, 1990, 1994; Sayer, 1992). It is not that there is an actual ontological separation or independence for those factors which influenced the development of immigration policy from others with little influence: the interweaving of connections between social world features is limitless.

However, an analytical distinction is made that facilitates a coherent explanation of social action. Layder pinpoints how realist theory can overcome a key problem within structuration theory, rooted in its incapacity to separate out structure and agency; namely that the theory provides no sense of the historical rootings of social structure.

> If structures and systems only 'exist' at the points where they are actuated in specific concrete encounters, it is difficult to understand how Giddens can incorporate into his analysis any conception of the historical emergence and/or disintegraton of the structural contexts of action. Such a conception would require some appreciation of the relative durability of such contexts in time-space (to use Giddens' own phrase).
>
> (Layder, 1985: 143)

Archer and Layder are among those realist theorists who argue that there are occasions when we have to treat structure and agency as *analytically* distinct if we are going to be able to coherently analyse certain important problems. Such an approach enables an analysis that takes account of how actors reproduce and create structures that they might be unaware of, or that they might not believe to exist. This is not to say that the beliefs and concepts individuals hold about the social world are not highly important and influential on agency, but the range of social structures are not limited to those that agency is aware of or understands coherently.

The realist analytical framework strikes a better balance between the problems of structure and agency, with its conception of agency as aware and reflexive, and its conception of structures as not always penetrable

by agential understanding. Action and social structure are, as Thompson observes "neither contradictory nor complementary terms, but rather two poles which stand in a relation of tension with one another. For while social structure is reproduced and transformed by action, it is also the case that the range of options available to individuals and groups of individuals are differentially distributed and structurally circumscribed" (Thompson, 1989: 75). The key advantage that the work of realist theorists has over Giddens' structuration theory is the notion of a stratified ontology of the social world, and a consequential analytical separation of structure from agency, although acknowledging that structures only emerge from agency, and agency is always conditioned by structure. Craib argues that "the structure/ action divide in sociology is there for a very good reason: the social world is made up of, amongst other things, structure and action and these two are not the same" (Craib, 1992: 9).

Sayer (1992) outlines the central claims of realist theory: firstly, that the world exists independently of our knowledge of it; secondly, that our knowledge of that world is therefore fallible and theory-laden; thirdly, that there is necessity in the world: objects, whether natural or social, necessarily have causal powers or ways of acting and particular susceptibilities; and fourthly, that the world is differentiated and stratified, consisting not only of events, but objects, including structures which have powers and liabilities capable of generating events (Sayer, 1992: 5). The stratification of the social world, or the separation of the people from the parts, was first proposed by Lockwood (1964) who, in introducing the

distinction between 'system integration' (referring to the relations between structures) and 'social integration' (the relations between actors), claimed "that it was both possible and profitable to separate-out the two analytically, that is to distinguish the orderly or conflictual relations prevailing between groups of actors from the orderly or conflictual relations prevailing between parts of the social structure" (Archer, 1995: 67). The concept of stratification and the push for an ontological separation between structure and agency was advanced by Bhaskar (1975), whose Transformational Model of Social Action (TMSA) proposed a developed ontological realism, which clearly distinguished between society and social forms, and people.

Bhaskar developed the idea that the world is stratified, governed by generative mechanisms:

> The causal structures and generative mechanisms of nature must exist and act independently of the conditions that allow men to access to them ... events must occur independently of the experiences in which they are apprehended. Structures and mechanisms then are real and distinct from the patterns of events that they generate; just as events are real and distinct from the experiences in which they are apprehended
>
> (Bhaskar, 1975: 56)

Structures have a key influential and causal power over the human actors that are born, live and operate within them. Their actions, causally influenced by the social system they inhabit will then contribute to the shaping of the social system to be inhabited by future generations.

Bhaskar's use of the term 'mediated' to describe how the causal powers of structures are expressed is key, as this implies a degree of input from the actors involved. Structures do not control agential puppets; actors respond to structures, sometimes unconsciously, but sometimes knowingly, and it is this agential power that means that structures are not automatically reproduced; actors can act against structures. Structures do not, as in a more Parsonian ontological world, have it their own way – their powers are always mediated (and therefore tempered) by the actors involved. The converse point is that although actors do have an independent power, they can only ever act in a social world already shaped by existing structures; they cannot simply ignore these structures and automatically realize their objectives – sometimes, existing structural properties constrain the power of agency to achieve its goals.

Social structures do not, within the realist framework, exist virtually, within an individual's construction of the social world: they are also external to and independent of extant individuals and as such, condition agency. Similarly, neither are cultural properties merely internal to the minds of actors: they are ideas and discourses initially produced by agency, but once conceived of, have an external existence which may also condition agency. Without a conception that structure and culture can influence agents, the central question to this thesis of what structural or cultural factors led to the development of the Free State's immigration controls is redundant: rather it would be posited that people enact the legislation they want to, and are not constrained by the existence of social structures

(including cultural properties) and their limitations on action. The realist analytic distinction facilitates a clear and coherent understanding of the interrelationships between structure and agency.

Within this thesis, the social context under investigation (the early twentieth century Irish Free State) is conceived of as being stratified, having material/physical systems (the geographical proximity of Irish Free State and UK territory) and both social structural systems (e.g. the political structures operating between the Free State and Great Britain) and cultural systems (e.g. Irish nationalist discourses). These physical and social structural systems are analytically separate from the agency within them, both shaping and being shaped by these systems. The social structural systems are open, due to the reflexive and often unpredictable nature of the action of human beings in their capacity as social actors and agents. Activity is unpredictable due to the unique reflexive nature of human beings, whose activity can reproduce or transform these structures.

Social structures, although analytically distinct from agency, depend on human agency for their production; it is true to say - no people, no structures. Layder describes social structures as the "preformed pattern of social relations historically created and reproduced over time by human agency that individuals are socialised into at birth, and which continue to confront them as future constraints on their activity" (Layder, 1990: 133).

Social structures are *a priori* to the people who inhabit them at any given time. In this sense, they have an autonomy from extant human agency.

Similarly, cultural properties such as nationalist discourses, are conceived of as being independent of and having a causal influence on social actors and agents. Realist approaches allow for a conceptualization of cultural properties, such as ideas and discourses, as having a separate and independent existence from the people who hold or promote them at any given time. Archer conceives of ideas as existing in a cultural register, the Cultural System (Archer, 1988), analytically separate from agency. Ideas can also causally influence the activity of, for example, political parties and governments: if a group within the population promotes a certain concept or belief, politicians can react to this circumstance, and steer their policy development process to take this into account, even if the politicians do not hold these ideas themselves

A realist stratified ontology enables the analytic separation of the various potential influences of the social structures, including Archer's Cultural System, from an actor's own situational location within the context of these different structural and cultural influences. The situational location of agency is key – this permits an analysis that explains why different people act differently within the same structural and cultural contexts, according to the interests generated by their position in society and their personal experiences. As well as agency responding consciously to the situational logic of the actor, agency can also be influenced by social

structures in other ways. An individual may disagree with the concept or workings of a particular social structure, s/he may not even be fully aware of or comprehending of the existence of a particular social structure, but it can influence her/his actions nonetheless – for example, the capitalist economic system is continuously reinforced by the daily activity of actors, whose activity as consumers, through their purchasing of food and clothes, maintains the capitalist economic structure. However, neither an understanding of capitalism, nor agreement with the political outcomes of a capitalist system is required to participate in the capitalist system and maintain it – all that is required is an understanding of how to make a purchase. Indeed, many who might politically dissent from capitalism reinforce (and not necessarily consciously) its operation every day through the basic activity of their daily lives.

Awareness of social structures is not a requirement for practical social activity. Agency can thus be conditioned by a social structure independently of any conscious recognition or observation of it. A realist analytical framework directly rather than implicitly seeks out causal processes and explanations. The value of such an analytical distinction between different elements of the social world (and historical processes) is demonstrated by Sayer, who comments that:

> Social systems are always open and usually complex and messy. Unlike some of the natural sciences, we cannot isolate out these components, and examine them under controlled conditions. We therefore have to rely on abstraction and careful conceptualization, on attempting to abstract out the various components or influences in our

> heads, and only when we have done this and considered how they combine and interact can we expect to return to the concrete, many-sided object and make sense of it.
> (Sayer, 2000:19)

The social world, comprising multiple social systems, structures, cultural systems and of course, human agents and their thoughts and actions, is disorganised and chaotic. The complexity and muddled chaos of the social world and of social activity cannot easily be researched, analysed or understood. A basic level of understanding is always possible, but achieving an analysis that is as accurate and rigorous as possible is not straightforward. This is an important issue to recognize: accepting and confronting the inherent difficulty in such a sociological analysis will limit the extent to which a simplistic explanation is applied to the complex object of analysis. As Layder notes, "to believe otherwise, that is, that simplicity rather than complexity is an intrinsic feature of reality, and of our cognitive grasp of reality, would be naïve indeed" (Layder, 1990: 6). He characterises the realist 'project' as "a step in the right direction towards a more informed and sophisticated framework with which to understand social analysis and the activities of social scientists in general" (Layder, 1990: 7).

Historical Processes and Realist Causal Analysis: Morphogenesis

Sociological analysis is always complex, and the object of this thesis no less so. The thesis begins with an outcome, and asks how it was produced. It is not primarily concerned with the interpretations and understandings of the actors involved, nor with the relation of the 1935

Aliens Act to other pre-existing social structures, such as the Irish legislative framework or Anglo-Irish political relations at that time. Tracing the development of a given outcome requires the inclusion of all of these aspects of the social world, and more. To an extent all features of the social world are potentially relevant until proved otherwise: "one cannot assume prior to the investigation of a particular causal sequence which aspect of the network one would want to designate as more or less important in relation to the whole configuration (Layder, 1990: 101). A realist framework, while not enabling a researcher to isolate out particular processes, facilitates an *analytic* isolation or distinction to be drawn between the various elements of the social world whose interplay is the object of study. "Social scientists are invariably confronted with situations in which many things are going on at once and they lack the possibility, open to many natural scientists, of isolating out particular processes in experiments" (Sayer, 1992: 3). This is particularly so when the object of study is an historical process, dating back approximately eighty years.

In searching for causality, it also is important to bear in mind the dynamic workings of the social world. Understanding and interpreting the influence *over time* of structure and culture on agency, and vice versa, is the analytical means of generating causal explanations. Layder comments that, "if it is the case that certain phenomena [structures and agency] do bear these kinds of reciprocally influential relationships then it seems plausible that explanation of such phenomena may be couched in terms of the dynamics and mechanics of these relationships, rather than *simply*

in terms of the description and classification of the phenomena themselves" (Layder, 1990: 66, original emphasis). Importantly, the theoretical approach to the analysis of structure and agency within this thesis needs also to take account of historical emergence of structural and agential relations, and durability of these over time. Archer's realist morphogenetic framework, unlike structuration theory, attempts to account for the historical and sequential emergence of the social relations between structure and agency.

> Structure at time T influences action and interaction at time T+1, the structural consequences of which mean that further action at time T+2 will be different in kind. Only dualism (of the morphogenetic perspective) can, Archer believes, do justice to the interaction between structure and agency. Such dualism requires a stronger ontology of structure than Giddens offers.
>
> (New, 1994: 196)

The particular value of morphogenetic realist theory to this thesis is the explicit historicity of its approach. Its design renders it particularly applicable for providing a sociological analysis of historical events. The coupling of the realist analytical distinction between structure and agency with the incorporation of a temporal factor in analysis renders morphogenetic theory a tool with considerable explanatory potential. The realist conception of culture, structure, and agency as being both ontologically and temporally separate in this thesis enables an analysis of the roles of different cultural, structural and agential properties in the development of Irish immigration policy. Structures are not instantiated through agency; they exist prior to and following social activity. Burke has

commented that "social theorists display parochialism in a ... metaphysical sense, a parochialism of time rather than place, whenever they generalise about 'society' on the basis of contemporary experience alone, or discuss social change without taking long-term processes into account" (Burke, 1992: 2). The achievement of Archer's theory in enabling an analysis of the passage of time through the interplay of analytically distinct structural, cultural, and agential properties is one of the key strengths of the morphogenetic approach, and the main reason for its proposed application in this thesis.

Archer's morphogenetic framework establishes a specifically historical approach for a realist analysis and explanation of social processes and the social world (Archer, 1988, 1995, 2000). As a model of social world processes, it has not yet been widely applied or tested in empirical research. The central argument of Archer's thesis is that structure and agency can only be properly understood by "examining the interplay between them over time, and that without the proper incorporation of time the problem of structure and agency can never be satisfactorily resolved" (Archer, 1995: 65). Carter described the morphogenetic project as maintaining that structure and agency operate over different time periods – an assertion which is based on its two simple propositions; that structure necessarily predates the actions which transform it; and that structural elaboration necessarily postdates these actions (Carter, 2001: 79). This historicity of the morphogenetic ontology renders it highly valuable as a tool for analysing, understanding and explaining processes.

The Morphogenetic Cycle

Structure and agency are, within morphogenetic approaches, not only analytically distinct, but conceived of as inhabiting different temporal patterns. Indeed, Archer argues that analytical dualism is only possible "due to temporality. Because 'structure' and 'agency' are phased over different tracts of time, this enables us to formulate practical social theories in terms of the former being prior to the latter, having autonomy from it and exerting a causal influence on it" (Archer, 1995: 183). Within the ontology of morphogenesis the social world consists of structural properties, cultural systems, and human actors. Structures are defined as "the unintended consequences of previous social interaction that exert systematic causal effects on subsequent action" (Archer, 1995: 167). They are emergent from the interaction of agents and, as 'emergent properties', have distinct characteristics: "relative endurance, natural necessity and the possession of causal powers" (Archer, 1995: 167).

The 'natural necessity' of emergent properties refers to the relations between its components, which must be internal and necessary ones, "rather than a seemingly regular concatenation of heterogeneous features" (Archer, 1995: 173). An example of a structural emergent property (SEP) relevant to this study is the migration rate, which is emergent from i*nter alia* the social and economic conditions in a particular country and the transport facilities available to the public. The migration rate is crucially dependent on the two, but cannot be reduced to either. One cannot say that there will be a high migration rate if the transport facilities are available but the social and cultural conditions are conducive

to a desire to remain *in situ*. Likewise, if social and cultural conditions are such that many want to leave, but the transport facilities are not available, the migration rate will again be relatively low. From the relationship between these structures emerges the SEP of the migration rate.

Another valuable element of Archer's approach is the theoretical attention given to development of cultural, as well as social structures (Archer, 1988). The 'Cultural System' is itself an emergent property, which has "an objective existence and autonomous relations amongst its components (theories, beliefs, values, arguments, or more strictly between the prepositional formulations of them) in the sense that those are independent of anyone's claim to know, to believe, to assert or to assent to them ... it is a product of interaction, but having emerged (emergence being a continuous process) then *qua* product, it has two properties of its own" (Archer, 1988: 107). Cultural emergent properties (CEPs), for example, nationalist discourses, can be analysed similarly to structural emergent properties. Both cultural and structural emergent properties are products of human interaction, but having emerged, they have properties of their own; once forged by agency, they have the capacity to act back upon it.

Although both cultural and structural emergent properties exert causal influence, their powers can only ever be exerted through or mediated by human agency. Emergent properties in this way both constrain and enable human agency. Actions are conditioned by the structural and

cultural systems in which people live, but are never determined by them: "no conditional influence works as a hydraulic pressure, but is subject to reflective (if often imperfect) evaluation by agents who weigh it against their other concerns, due to their own emergent properties of self-consciousness and self-monitoring" (Archer, 1995: 184). While the options available to agency may be severely limited or curtailed by the systems in which they live, choices are still available.

> The very notion of morphogenesis is predicated upon such active agents, otherwise there is no legitimate source to which structural or cultural elaboration can be attributed. This means that human beings have the powers of critical reflection upon their social context and of creatively redesigning their social environment, its institutional or ideational configurations, or both.
>
> (Archer, 2000: 308)

Morphogenetic theory defines society as open, "because it is peopled, and being peopled can always be re-shaped through human innovativeness" (Archer, 1995: 166). The fact of human agency, which is inherently unpredictable, notwithstanding any conditioning influences of structural and cultural emergent properties, is given primary significance in this approach, which mediates a path between the structural 'dope' and the all-powerful agent. The primacy of agency within the morphogenetic framework prevents the researcher from simply assuming a causal association from correlating features of the social world. It is not enough to assume that the given presence of certain cultural or structural contexts will be translated into a particular type of immigration policy. Rather, it is necessary for the researcher to always question *who* holds

nationalist beliefs; *who* is responsible for structuring policies; *what positions* do these people hold within the various relevant social structures and groupings; and *what and whose actions* lead to the drafting of the specific policy in question. This emphasis on agency also contributes to a more powerful causal account of social change: without reference to agency it is not possible to develop explanations of why in some situations the same structural or cultural properties prove more influential than in others.

People have three distinct positions in this ontology, those of agents, actors and human beings. Agents are collective groups – a person cannot individually be an agent, the term always applies to a plurality – defined by their situation in society. Examples of agents are political parties (corporate agents) or the socially excluded (primary agents). Corporate agents are organised: they recognise their location in the social world, and are able to co-act to articulate their interests. For example, corporate agents of relevance to this study would be the Fianna Fáil political party, the governing party in the mid-1930s Irish Free State. Primary agents have no such lobbying or organisational power; they are a collectivity defined only by a common characteristic (being unemployed, being a woman), but do not band together to argue for their cause.

Actors, in contrast to agents, are individuals. In society, actors occupy roles, (such as teacher, social worker, father), or as Archer puts it, *personify* roles. "I personify the role in my own fashion which makes me

distinct from all others who hold the same job contract. My obligations I accept as mine, but their execution, far from swamping me, are used to define me, myself" (Archer, 2000: 76). Characteristics of the role will predate its occupant; indeed, a person occupying a particular role will "acquire certain vested interests with it, and is both constrained and enabled by its 'do and don'ts' in conjunction with the penalties and promotions which encourage compliance" (Archer, 1995: 187).

However, the actor is not determined by her/his role; s/he will bring personal ideals and objectives to it, and therefore has the opportunity to either reproduce or transform the role. As such, roles are not absolutely fixed. Rather, there are key defining and persisting features over time that are consistent, despite potential variability among individual occupiers. Social agents are not distinct from social actors; a person can be, and is both. *Which* of these a person is described as being at any one time will depend upon the context under discussion. De Valera, at the time of the introduction of the 1935 Aliens Act, occupied the role of President of the Free State Executive Council, giving him capacities and powers as a social actor within this specific role that can be analytically separated from, for example, his capacities and powers as an Irish citizen, or as a member of the Fianna Fáil political party, or as a particular individual.

The last level of agency is defined by Archer as that of 'persons' – the human being. The properties that are identifiable at the person level are

those that refer to biological needs and desires – such as capacity for feeling hunger, need for shelter and so on.

> Survival depends upon these being regularly experienced and therefore these experiences cannot wait upon their social definition (instead the basis of signification is physiological) nor upon the recognition that they are socially mediated.
> (Archer, 1995: 290)

Archer maintains that a continuous sense of self is a pre-requisite for social interaction precisely because of the changes that both agents and actors will undergo; her claim is that "our humanity is prior and primitive to our sociality and that social identity is emergent from personal identity" (Archer, 1995: 284, see also Archer, 2000).

For example, with regard to de Valera, it is possible to hypothesise that an unusual feature of Irish citizenship laws was developed due to his own personal circumstances (what Layder (1995) refers to as the psycho-biographical experience). In an early draft of the 1934 Irish Free State Nationality and Citizenship Bill, citizenship was defined as being carried from the matrilineal as well as the patrilineal line[11], although in many other countries including the UK, citizenship could only be inherited from the father and not from the mother. De Valera's (acknowledged) father was Spanish, and his mother was Irish. It is plausible to argue that de

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[11] This clause was later changed. In a despatch to the Dominions Office, de Valera noted that this would more easily affect "the external policy of co-operation by mutual grant of national rights and privileges" (Crowe et al, 2004: 299).

Valera, drew upon his personal and distinct psycho-biographical experience, rather than from a particular experience as a social actor (his role in society as Taoiseach) or as one of a group of social agents (the Fianna Fáil party) and introduced this particular clause in Irish citizenship. At the level of lived experience, of course, people do not act as if they occupy only one of these three positions at any one moment, they simply act. This stratified concept of agency is purely an analytical and not a practical definition. Our capacities as humans are derivable from the structural positions we occupy, but we do not have separate capacities that are distinct from one another, depending on particular contexts to be operational. However, the analyst, in explaining human behaviour, can refer to different elements of this stratification in interpreting and explaining activity, and so generate a fuller understanding of the underlying influences on behaviour. Capacities attach to agency by virtue of its structural location. They are emergent from the person and the social location occupied by that person. A stratified concept of agency enables an analysis of the potentially contradictory interests that can accrue to an individual, through their different positions as person, actor and as one of a group of agents. According to different contexts an individual may be influenced by a number of varying and conflicting emergent properties. Indeed, a person can occupy a number of roles as social actor in different contexts, each of which involves distinct constraints and enablements.

Within Archer's stratified and temporal ontology, structures are external and pre-existent to, and thus condition the actions of, those who occupy them. Any structure at any one time has emerged from human agency (for example, pre-existing immigration policy in Ireland); however, this structure will then pre-exist those agents who come to occupy it (incumbents, in our case civil servants, politicians, political parties, and so on), and will both constrain and enable their actions.

> Each new 'generation' of agents either reproduces or transforms its structural inheritance, but this heritage itself conditions their vested interests in doing so, their aspirations for stasis or for change, the resources they can bring to bear, and the strategies which are conducive to structural morphostasis or further morphogenesis.
>
> (Archer, 2000: 307 –308)

Agency interacts with the cultural and structural, and in so doing either reproducing or transforming the structure (e.g. introducing new immigration policies), which will then pre-exist a new set of agents and actors. This is what is termed the morphogenetic (structure, or immigration policy, is transformed) or morphostatic (structure, or immigration policy, is reproduced) cycle.

Challenges to the Morphogenetic Approach

King (1999) notes that despite the prominence of Archer's work on social theory within academia, there has been a dearth of critical commentary on her writing; this remains true – morphogenetic theory has not received as much attention as other recent social theories, perhaps most notably,

structuration theory. The three critical pieces to be discussed here, however, form a useful trilogy, in that each focuses on a different issue within Archer's overall theory of morphogenesis: King examines Archer's definition of structural emergent properties, and her insistence that structures exist independently of agency; Shilling (1997) criticises Archer's concept of the human person for not taking into account the socialisation of the body and personal desires; and Healy (1998) discusses what he sees as Archer's 'unclear' account of the activity dependence of structures. Neither Shilling nor Healy directly challenge Archer's overall approach of realism; their critiques are offered rather as developments or enhancements to her theory. King's comments, however, challenge in a more fundamental way the underpinnings of the theory and offer a more serious critique of the realist project. The Shilling and Healy critiques will be discussed firstly in the following section. King's critique, in providing a deeper and more theoretical challenge, is dealt with at greater length.

Shilling's critique of Archer concerns the 'undersocialised conception of the embodied agent in modern sociology'. Citing Hochschild's work into the socialisation of human emotions, Shilling challenges Archer's stratification of agency, particularly her third dimension of people as their primal human being: "Archer tends to underemphasize, if not entirely neglect, the body as something which can itself be partially socialised" (Shilling, 1997: 745). Discussing research into cosmetic surgery, and arguing that changes in physical appearance affect women's confidence

and influence how they act within and on social structures, Shilling's conclusion is that such research "makes it difficult to view the body as either completely malleable or as confined to a non-social foundation for social life" (Shilling, 1997: 746). However, it can be argued that what is actually being studied is women's *perceptions* of these changes, and how this affects their confidence. Physical self-perception is outside the realm of Archer's discussion of the needs and desires that of necessity are linked to our pre-social being. Perception of appearance is not a pre-social need or desire; it can only be generated through a comparative process, when other bodies and appearances are taken into account. It is fundamentally a social activity.

There is a locus and site for the creation of phenomena such as emotions that is external to society. This does not mean that social interaction will not influence the emotions that are generated, or our understanding of them, as seems to be Shilling's view. While emotions do emerge from our biological selves, and their *existence* is therefore attributable to a pre-social sense, surely the formulation of particular emotions (for example, happiness, loneliness) is entirely dependent on our interaction with the social world. In moving the discussion from basic needs such as hunger, or thirst, to human emotions, in my view, Shilling has misinterpreted the morphogenetic framework.

Healy (1998) favours analytical dualism and morphogenetic theory over other theoretical accounts of the social world, such as structuration

theory. His work is more of a clarification of than a criticism of morphogenesis. Arguing that Archer "does not clearly explain how individuals and societies are related to one another" (Healy, 1998: 516) and that the concept of "activity-dependence [of structures] runs together two ideas that should be kept separate" (Healy, 1998: 517), he contends that there is not a clear demarcation between a given structure's dependence on agency for its formation and its later conditioning influence on another form of agency. As clarification, he offers the concept of "supervenience", and demonstrates the efficacy of this by using Archer's (1995) example of demographic structure.

> Attempts to explain why today's demographic structure came to have one set of properties rather than another will most likely involve referring to the actions of the now-dead, or the structures of the past ... As it exists today, properties and all, the demographic structure supervenes on those individuals here present.
>
> (Healy, 1998: 518)

Healy acknowledges that the morphogenetic concept of activity dependence suggests something similar to his supervenience version, "indeed, they may be the same" (Healy, 1998: 519). It can be argued that in fact they are just that. The temporal dimension of morphogenetic theory allows one to distinguish between the actions of agents that lead to the evolution of a particular structure *as it can be described at a*

particular time; this specific version of that structure then conditions the actions of the agents and actors that will later inhabit it. Healy's concept of supervenience may be a simpler version; it might add clarity to the concept of analytical dualism, but does not alter fundamentally the principles or workings of the theory.

King's (1999) critique forms a more fundamental challenge to the realist ontology and corresponding methodology of morphogenesis. The main point at issue is that "once the implications of the interpretive tradition are considered more deeply, the notion of an objective social structure becomes unsustainable" (King, 1999: 200). Archer (1995) has given an account of what she sees as the pitfalls of this tradition, but King argues that this is unconvincing, and further that if Archer's criticisms of the Individualist position can be shown to be invalid, the premise on which the concept of the morphogenetic approach was built is undermined.

His main critique is concerned with the concept of emergence. King reviews Archer's example of the Cuban literacy rate as an emergent property and argues that "the 'structure' which living individuals face, and which is supposed to be irreducible to other people is in fact, only these very other people interacting in the past" (King, 1999: 210). A similar point is made with regard to the example of the division of labour (King, 1999: 212). As a consequence, the 'separation of the parts from the people' would no longer be possible. Accordingly, the implications for this study would be that an analysis of the distinct ways in which cultural and

structural conditions influence agency in the development of immigration policy would be unworkable.

King states that "it is logic to argue against the notion of the autonomy and the pre-existence of social structure [and thereby emergent properties] simultaneously" (King, 1999: 206), and posits his challenge on this point. However, in so doing, he overlooks the importance of the third distinguishing characteristic of emergent properties, which is their independent causal powers. The literacy rate in Cuba, and the division of labour in a factory, are explained only by reference to the actions of people in the past. However, the *independent causal powers* of the literacy rate and the division of labour are *not* explained only by reference to other people, and it is these causal powers that make emergent properties irreducible to individuals or groups. For example, the literacy rate itself has an influence on, for example, the employment market, the educational system, the economy, that cannot be reduced to other individuals. It has causal powers of its own and in its own right: trying to reduce it to the interactions of individuals removes the capacity to discuss the conditioning influence it exerts on human agency.

In his analysis of the morphogenetic concept of roles, King asserts that "the powers and functions of a particular role can never be separate from some-body's definition of that role *even though that definition and the powers that definition gives might be disputed or even ignored by some*" (King, 1999: 215; my emphasis), and concludes that roles "are not

reducible to an individual but they are reducible to some individuals who define and recognise and, therefore create these roles in complex and negotiated ways" (King, 1999: 215). However, there is arguably a problem with this statement – *who* is the somebody whose definition it speaks of? The role of a bank manager will still exist, with all its powers, even if an angry customer thinks otherwise. King argues that roles "must be known about, understood and embodied by somebody or they would not exist" (King, 1999: 215). This is true, but because roles have features enduring through different incumbents and periods of time, there is a consistency to the role of a bank manager that will still exist, notwithstanding the presence of the said angry customer. It is not clear that King's critique necessarily contradicts the morphogenetic approach. Roles are not elements in the cultural system where knowledge can exist even though unknown by some humans. A role could exist, be acknowledged, its properties disputed by the majority, yet surely the role itself would still exist (for example, that of the British King as head of state of the Irish Free State in the 1930s).

King does not adequately explain who the individuals are that define and recognise roles, nor does he explain how and why the characteristics of a role cannot be separated from someone's definition of it. For example, what if a security guard were to be unaware of one of the main responsibilities of his job? Would his role take the form as defined by him, or by his management? If the answer is the latter (as surely it must be, for to continue ignoring certain responsibilities as conceived of by

management once made aware of them would result in dismissal), then the role must have existed prior to the individual occupying it. Moreover, if the security guard did not comply, he would no longer be the occupant of that role, and a new employee would be sought who, *once hired*, would then comply with the responsibilities of that role. But surely in this case, the role would pre-exist the new employee?

New incumbents of roles do, through morphogenesis, transform the role in which they operate. This is one of the ways in which social change occurs. This however, is not to say that the characteristics of a given role will not pre-exist an incumbent. Whatever the incumbent might do with these characteristics is their own affair, and by working within the constraints of their role, they might well succeed in changing these. People do not leap into positions and instantly create roles from themselves from thin air. There is a context and a structure that pre-dates them, and this is seen in the conceptualisation of roles as pre-existent to their occupants. King's arguments against emergent properties and the externality of roles do not endure a detailed analysis; society can be explained by reference to the actions of individuals, certainly, but it cannot be *reduced* to merely this and no more. These critiques of morphogenetic theory do not, in my view, compel significant alterations to its approach. If anything, they help demonstrate its practical utility for this research problem.

Applied Morphogenesis: Developing the Research Practice

The ontological bases of a framework or conceptual system inevitably influence epistemological questions that in turn inform research methodologies and interpretation of findings. Put more simply, what researchers believe to exist will determine how researchers believe they can understand and know the world, and consequently also how they should set about doing and practising research. Williams likens realist social research to goodness; "we all favour it, but how do we turn it into a methodological strategy?" (Williams, 1998: 9). In developing a methodology to analyse social change, Archer divides social world processes into different time intervals (Archer, 1995). T_1 signifies the beginning of the cycle to be analysed; T_2 the process of interaction between structure, culture and agency; and T_3 the endpoint of the cycle, when the social world is either reproduced or transformed. At the outset of the research, a T_1 is chosen (this will always vary according to what is being researched – one study's T_1 is another's T_3). Once T_1 has been pinpointed, the next step is to determine the structural and social conditions that our agents and actors will inhabit (Archer, 1995; Carter, 2001).

Having established T_1, it is then necessary to move our attention to T_2, which is concerned with interaction between agents and actors and the socio-cultural world in which they operate. Archer does not propose any particular research tool for morphogenetic research, but comments that "practical social theorising cannot avoid the work of producing such a

narrative each and every time the aim is to explain why things structural, cultural or agential are so and not otherwise, at a given moment in a given society" (Archer, 1995: 344). Having thus narrated the developments and interactions between structure and agency, that lead from the T_1 of the thesis to a new immigration policy (T_3), it will be possible to determine how structure and agency interact: or more specifically, how both corporate and primary agents interacted with the structural and cultural conditions confronting them; how individual actors themselves interacted within and on the social reality; and, ultimately, why the particular versions of structural transformation or reproduction (as seen in immigration policies) developed as they did.

Sayer argues that in order to develop a practical research strategy, the researcher must "combine theoretical claims with empirical research aimed at discovering 1, which kinds of objects are present ... 2, what are the contingent forms they take ... and 3, under what conditions do they exist in this instance" (Sayer, 1992: 142). The research analysis for this thesis involves mapping the empirical evidence on the theoretical morphogenetic cycle. The objective is "to supply an account of how the powers of the 'parts' condition the projects of 'people' – involuntaristically but also non-deterministically, yet none the less with directionality" (Archer, 1995: 201).

Noting that "in learning a new body of theory, we usually eventually come to find that the new concepts enable us to see new objects or aspects of

objects and not merely offer a different interpretation of everyday observations" (Sayer, 1992: 54), Sayer suggests that not all significant or relevant features will be apparent at the outset of the study. Through interpreting the evidence, the research process can help identify significant structural or cultural elements not perceptible at the initial stages of analysis. Layder strongly affirms the interdependency of theory, epistemology, ontology and methodology (Layder 1988). Archer is also clear in her insistence on an incontrovertible connection between the last two, stating that "all social theory is ontologically shaped and methodologically moulded" (Archer, 1995: 57). Sayer likewise notes that "any serious consideration of method in social science quickly runs into basic issues such as the relation between theory and empirical observation and how we conceptualize phenomena" (Sayer, 1992: 45). This suggests that a research process informed by realist social theory also requires a research method that can take account of the concept of a stratified social world.

Conclusion

The thesis uses morphogenesis as a macro-level social theory to structure the interpretation of findings and explain the social processes uncovered through analysis of evidence. This provides the wider methodological approach for the thesis, but the specific research method also needs to be identified. Layder judges that "realism has no distinct methodological position of its own which is in turn underpinned by a definite theoretical position" (Layder, 1990: 38). And although

morphogenesis was first developed more than twenty years ago (Archer, 1982; 1987), as yet no one methodology has been identified as particularly appropriate for this framework. A further challenge is therefore to identify a research method that can successfully be applied within this thesis' historical sociological and realist methodology.

In Archer's own accounts of morphogenesis, she refers to 'analytical histories of emergence' as an analytic tool for researching and discussing the morphogenetic cycle (Archer, 1995: 324). Her examples of morphogenetic analysis are comprised of a broad historical (and in some cases, comparative) case study approach. Using comparative analysis to discuss the development of the education systems in England and France, she identifies the necessity to, in each case, backtrack "through the social interaction responsible for their elaboration and locate its own origins in a prior structural context which both contributed to the goal of transforming educational operations and conditioned who was involved and how they went about the process. In other words, it entails the historical delineation of the three phases, prior structural conditioning → social interaction → structural elaboration" (Archer, 1995: 327).

The historicity of the morphogenetic approach, as has been discussed, will prove highly valuable in analysing the historical process of the development of immigration controls. However, the implicit use of case study methods in Archer's own morphogenetic analysis indicates the potential analytical and explanatory power gained in specifically applying

historical case study approaches in a morphogenetic framework. Through considering key features of the research problem presented here, the following chapter suggests that a case study approach is already an appropriate research method for this thesis. These methods are identified as useful not only because of their existing link with the morphogenetic methodology, but because the research problem naturally lends itself to this approach. For example, the problem itself is already structured as a case study (the Irish Free State as an anomalous single case). And like morphogenesis, case study methods are demonstrated to be a good fit with historical analysis and the analysis of causal processes. Their suitability for theoretically informed research further indicates their applicability within a morphogenetic framework.

Chapter Four: Case Study Methods; History, Theory and Applied Morphogenesis

Introduction

Thus far, the research problem and broad methodological approach for this thesis have been established. The research method remains to be set out. The research problem of this thesis has emerged from a wider comparative analysis; an otherwise common empirical precedent does not fit a given case. Policy processes in the Irish Free State are here situated in an implicitly comparative context. The origins of this research problem are also situated within a theoretical context. There is a conjunction between the empirical examples of other states' immigration controls and the theoretical literature, which suggests that immigration controls are consequences of a nationalist objective, aimed at protecting the nation state from an incursion of 'unassimilable' immigrants. In addition to explaining the unusual case of the Irish Free State, another objective is therefore to improve and build upon existing theoretical assumptions.

As well as being a study of immigration theory and practice, this study uses an historical sociological methodology, informed by realist social theory, particularly Archer's morphogenetic model. Case studies are further suggested as particularly applicable for historical analysis; arguably most historical studies are case studies by default. Although there is no recommended research method for morphogenetic research,

morphogenesis is proposed as especially suited to the type of process-oriented research in this study. It follows then, that an approach found to be a good 'fit' for this research problem might also be a good 'fit' more generally, for research influenced by the morphogenetic theoretical framework. Case study methods are therefore suggested as an appropriate research method for morphogenetic analysis.

There are five main reasons put forward for the suitability of case study methods to this thesis. First, the research problem is comparative in its underpinnings (although not pure comparative analysis); treating the historical example of the Irish Free State as a case within a wider sociological category attaches a wider relevance to findings from this thesis. Second, the research problem is also situated within a theoretical discussion, and case study methods assist in bringing theory to the fore in research practice. Third, the research focuses on analysis of complex and intricate processes, and case study methods enable a highly detailed and qualitative analysis of social processes. Fourth, the research exposition will involve a narrative, and a narrative analysis is applicable to case study methods. Fifth and finally, the research approach is informed by a macro-level (realist) social theory, and case study methods are particularly appropriate for the deployment of theoretical concepts in the research process. These points are explored in turn in the following pages.

Comparative research: The Case of the Irish Free State

The case of the Irish Free State is an 'outlier', or an extreme example of its type, in that it does not conform to an established empirical pattern. The single case of the Irish Free State is treated as an anomaly within the empirical evidence. Yin comments that "the unusual or rare case, the critical case and the revelatory case are all likely to only involve single cases, by definition." (Yin, 1994: 46; see also Robinson, 1951). Flyvbjerg similarly notes that "the case study is ideal for generalizing using the type of test which Karl Popper called 'falsification'" (Flyvbjerg, 2001: 76-77). Rather than trying to build a theory from empirical research, which might incorporate the analysis of multiple cases, this study takes an already existing theory, and in the light of new knowledge generated from this empirical example of a theoretical outlier, will develop the theoretical discussion.

Walton, noting that cases can become "strategic when they challenge or respecify received causal processes" (Walton, 1992: 127), argues that "case studies get at the causal texture of social life, but drift without anchor unless they are incorporated into some typology of general processes, made causally explicit within the case and ultimately referred back to the universe which the case represents, at least hypothetically" (Walton, 1992: 124). A comparison to the wider context allows us to make sense of the particular. Stinchcombe, in a discussion of the relevance of theory to history, argues that, "the question of how to apply social history to theoretical materials, as it is usually posed, is ridiculous. One does not

apply theory to history; rather one uses history to develop theory" (Stinchcombe, 1978: 1). This thesis uses macro-level theory to structure the historical analysis, and then, following Stinchcombe, uses this detailed single-case analysis to develop and inform the middle-range theoretical explanation for immigration controls.

Yin refers to a "common" concern that case studies are methodologically overstretched in attempting to generalise beyond the specific instance being investigated, but argues that:

> A fatal flaw in doing case studies is to conceive of statistical generalisation as the method of generalising the results of the case. This is because cases are not "sampling units" and should not be chosen for this reason. Rather, individual case studies are to be selected as a laboratory investigator selects the topic of a new experiment... this method of generalisation is "analytic generalisation" in which a previously developed theory is used as a template with which to compare the empirical results of the case study.
>
> (Yin, 1994: 31)

Flyvbjerg's observation "that knowledge cannot be formally generalized does not mean that it cannot enter into the collective process of knowledge accumulation in a given field or in a society" (Flyvbjerg, 2001: 78) is a key point. A rule is not generated from the particular case that is directly generalizable to the universe of states and immigration controls. Instead, through in-depth examination of a singular case, a greater depth of understanding is developed as to the causal processes involved in designing immigration controls. Stinchcombe notes that, "it is likely to be those scholars who attempt to give a *causal interpretation of a particular*

case who will be led to penetrate the deeper analogies between cases" (Stinchcombe, 1978: 21-22; original emphasis). The implicit comparative nature of this study provides some insight as to the potential for generalisation from the single case of the Irish Free State. Flyvbjerg points out that "the typical or average case is often not the richest in information. Atypical or extreme cases often reveal more information because they activate more actors and more basic mechanisms in the situation studied" (Flyvbjerg, 2001: 76). This thesis, from the study of one highly significant case, will derive knowledge that is applicable in a wider sense.

Theoretically Shaped Research Problems and Case Study Analysis

In reviewing this single case, therefore, it may be possible to enhance the sociological literature, both empirical and theoretical, through refining current prevailing assumptions. Although theory building is not the primary aim of this thesis, it will elaborate current theoretical knowledge. Wievorka notes that "a case becomes the opportunity to discover knowledge about how it is both specific to and representative of a larger phenomenon. Its originality does not keep us from making comparisons, and its representativeness does not refer to a metasocial law, but to analytical categories" (Wievorka, 1992: 170). Although merely a single case, that case may itself contribute to the generalizing power of the relevant theory: "the strategic choice of case may greatly add to the generalizability of a case study... if the thesis could be proved false in the

favourable case, then it would most likely be false for intermediate cases" (Flyvbjerg, 2001: 75).

Flyvbjerg similarly promotes the case study as following the rationale of Aristotelian thinking in arguing for "*phronetic*" social research (for which he recommends the use of case study methods). Departing from the Platonic or Socratic model which (Flyvbjerg argues) promotes the production of abstract, generalizable theory, "*phronesis* is that intellectual activity most relevant to praxis. It focuses on what is variable, on that which cannot be encapsulated by universal rules, on specific cases. *Phronesis* requires an interaction between the general and the concrete; it requires consideration, judgement, and choice. More than anything else, *phronesis* requires *experience*" (Flyvbjerg, 2001: 57: original emphasis). Flyvbjerg recognises that a critical case frequently has strategic importance in relation to a general problem. Case study research involves an implicit comparison between the particular and the general. The particular case (of the Irish Free State) can therefore contribute in a fundamental way to the evolution of a general theoretical framework. By generating an understanding of the specific contexts in which an established theoretical connection does not apply, and the reasons for this, the original theory can be refined, elaborated upon and made more comprehensive.

Connecting the origins of case study research to a medical context, Wievorka demonstrates clearly the role of case study methods in linking the empirical to the theoretical.

> A 'case' designates, on the one hand, a specific patient, and on the other, an illness independent of the patient. Usage thus refers this word to its practical, historical unity (the patient) but also to its theoretical, scientific basis (the illness as described and listed, or as can now be listed for the first time). Hence, a case is both unique in that it affects the patient, an individual, and reproducible, though seldom so, in that it has to do with an illness. Both characteristics are necessary to talk about a case.
>
> (Wievorka, 1992: 159)

Wievorka argues that a single case has no intrinsic meaning without a broader analytical or scientific interpretation that enables its identification as a case. He notes that discussions of cases generally involve "bringing theory and practice together in a special way" (Wievorka, 1992: 160). Walton likewise comments that, "cases are 'made' by invoking theories, whether implicitly or explicitly, for justification or illumination, in advance of the research process or as its result". (Walton, 1992: 121) In the context of this study, the example of the development of immigration controls in the Irish Free State is that of a single case. The very process of its identification as a single case, in contradiction to the general empirical contexts and theoretical explanations, signifies the existence of a larger group to which the case of the Irish Free State is comparable. According to Harper "cases in sociology have the dual character of situational groundedness and theoretical generality. The case, as an example, implies a larger category" (Harper, 1992: 139). As Walton points

out, "cases come wrapped in theories. They are cases because they embody causal processes operating in microcosm" (Walton, 1992:122).

The empirical and theoretical framing of Irish immigration policy as an unusual example grounds the case, giving it a meaning and relevance beyond its own specificity. Ireland is a case that tests a suggested connection between immigration controls and a desire to protect the nation. Citing Eckstein, Flyvbjerg argues that case study research is more suited for testing hypotheses in this way than (as is more traditionally argued) for producing hypotheses in the first place.

> Eckstein – contravening the conventional wisdom in this area – goes so far as to argue that case studies are better for testing hypotheses than for producing them ... Case studies, Eckstein asserts, "are valuable at all stages of the theory-building process, but most valuable at that stage of theory-building where least value is generally attached to them: the stage at which candidate theories are tested".
>
> (Flyvbjerg, 2001: 77)

This thesis is not simply an account of how and why immigration controls in the Irish Free State were not developed according to the same principles as elsewhere; the findings can potentially be used to refer to a wider context, and could generate a more comprehensive explanation of the social and cultural contexts informing the development of immigration controls. The importance of theory in this social scientific analysis lies in positioning the findings and interpretations in a broader context, as opposed to simply providing a narrative of what has taken place in the particular context of the Irish Free State. Theory has a primary function in

the underpinnings of this research problem, both in the conceptualisation of the initial research questions and in interpreting the evidence to form conclusions. One of the arguments for employing a case study methodology here is based on the underlying assumption that case study methods enable a research approach that can successfully incorporate this function of social theory. Moreover, as Donmoyer (1990) notes, case studies "they can add depth and dimension to theoretical understanding ... well-done case studies can add nuance and subtlety to the ideal-typical perspective of theory" (Donmoyer, 1990 [2000]: 65).

Researching Complexity

Thus far, this chapter has argued for the applicability of case study approaches to this thesis due to the empirical and theoretical origins of its research problem. We also need to consider the other advantages a case-study methodology can bring to this research problem. Yin comments that "'how' and 'why' questions [such as the ones central to this study] are more *explanatory* and likely to lead to the use of case studies, histories and experiments as the preferred research strategies. This is because such questions deal with operational links needing to be traced over time, rather than mere frequencies or incidence" (Yin, 1994: 6; original emphasis[12]). Case study methodologies are by nature suited to

[12] It should be noted that Yin categorises case studies as contemporary in their setting; this type of historically focussed research he would typify a "history". This study, however, will use the broader definition of case study in describing its approach.

investigating the fundamental questions of causality that are key to this study (Stake, 1995).

Yin notes that case studies are particularly suited to research investigating intricate and detailed phenomena.

> The distinctive need for case studies arises out of the desire to understand complex social phenomena. In brief, the case study allows an investigation to retain the holistic and meaningful characteristics of real-life events – such as individual life cycles, organisational and managerial processes, neighbourhood change, international relations, and the maturation of industries.
>
> (Yin, 1994: 3)

The political processes of the Irish Free State are the focus of this work. Key social agents and structures will be identified and the focus will be on the interactions between the two: how structures influenced, enabled and limited the actions of agents, and in turn, how these agents, through social action, affected, developed and changed the structural context. The focus of investigation is the processes of negotiation and compromise in which agents engaged, leading to the production of the 1935 Aliens Act.

Undoubtedly, politicians, individually and collectively, were influenced and constrained in their actions by both cultural and structural norms and institutions, as well as by existing relations with other states, individuals and groups. However, it should not be therefore assumed that those same politicians, had, as particular actors, no specific influence on what

immigration policy emerged. The 1935 Aliens Act would not have been produced in the form it was, irregardless of the specific people who comprised the corporate agents governing Ireland at that time. Neither structure nor agency exists in a vacuum. As Stinchcombe observes, "the whole point is that people's definition of the situation they are in is powerfully determined by what situation they are in and that is an institutional product ... these structural concepts ... have their causal force because they systematically shape people's cognitions", and later, "the causal forces in the situation are people defining problems and trying to work their way out of them" (Stinchcombe, 1978: 118-120).

There can be no action without agents. But agents' actions would not take the form they do without the context of the social world influencing, enabling and limiting their thoughts and capabilities. White also notes the interrelatedness of structures with agents in social processes, commenting that "structural context is important to any serious study, but it can especially be crucial in studying social action, which shapes itself in perceptions and conjectures about context, most especially about other social action as context" (White, 1992: 100). The specific and detailed examples in a case study, of how context shapes social action and of how action transforms social contexts enables an in-depth analysis of social interaction and a nuanced understanding of the complexity of social processes. Flyvbjerg cites Goffman in noting that in cases, "actual practices are studied before their rules and one is not satisfied by learning only about those parts of practices that are open to public

scrutiny; what Erving Goffman calls the 'backstage' of social phenomena must be investigated, too" (Flyvbjerg, 2001: 85). The intricacy of case studies, if coupled with an appropriately interrogative analytical framework, enables the researcher to reach beyond the superficial signifiers of action in the social world, to the underlying roots and causes of this action.

A case study approach, promoting simultaneously a comprehensive and a detailed view of the social world is, therefore, well suited to this research topic. Yin argues, rather more strongly, that case study approaches are possibly the most appropriate in such a circumstance, observing that one "would use the case study method because you deliberately wanted to cover contextual conditions – believing that they might be highly pertinent to your phenomenon of study" (Yin, 1994: 13). Flyvbjerg comments that "achieving such [in-depth] awareness is central to developing judgment and expertise in social and political affairs, and in doing research into such affairs" (Flyvbjerg, 2001: 86). He cites Abbott's (1992) observation that "a social science expressed in terms of typical case narratives would provide 'far better access for policy intervention than the present social science of variables'" (Flyvbjerg, 2001: 86).

Asking 'why' and 'how' Irish Free State immigration policy was so designed demands the identification of the causal influences or forces underpinning its introduction and development. As Abbott has commented, "a case/narrative explanation follows the causal action.

Rather than assuming universal or constant relevance, it explains only 'what needs to be explained' and lets the rest of things slide along in the background. This selective attention goes along with an emphasis on contingency. Things happen because of constellations of factors, not because of a few fundamental effects acting independently" (Abbott, 1992: 68). This 'constellation of factors', the intricate interrelatedness of structure, culture and agency, lies at the heart of the analytical process for this research problem. From the detailed account of the policy process in this research emerges an explanation of the underlying influences on Free State immigration controls; why and how they were developed in one way, and not another. A detailed and probing investigation of the underlying complexities of this research problem, and of its central subject, is thus facilitated by using a case study methodology, which enables a comprehensive analysis of processes. The case study does not imply an overt focus on either social structures or social activity. Indeed, it enables the researcher to consider both in her analysis, and as such, is methodologically compatible with research informed by Archer's morphogenetic cycle, tracking both structure and agency over time.

The Application of Narrative Analysis

The above citation from Abbott, as well as highlighting the appropriateness of a case study methodology to research focussed on causal relations, also suggests the use of a narrative approach within case study research. It does not necessarily follow that a case study approach automatically implies a narrative exposition, but a narrative

approach is perhaps particularly applicable for elaborating the causal explanations for which, as has been argued, case study methodology is highly appropriate. Becker describes a family of approaches to analysis (including Abbott's) that focuses on process, and "the temporal dimension in which, as everyone recognises, phenomena occur... a process or narrative analysis has a story to tell" (Becker, 1992: 208). This family of approaches treats:

> The dependent variable, the thing to be explained [in the case of this research, Irish immigration policy in the 1930s] as something that comes about through a series of steps. It does not ...think of the result as to be explained as having happened all at once. This shows up in several ways...This analysis focuses first on discovering the sequence of steps involved in the process under study... this process is taken to be important to the result, perhaps even constitutive of it.
>
> (Becker, 1992: 208-9)

Narrative explanations and case studies, it can be argued, are complementary in their epistemological underpinnings. A case study, as Yin (1994) has pointed out, facilitates the use of many different approaches and methods within the one research investigation, promoting an "overall", holistic system of analysis. A narrative explanation takes processes and temporal factors as key factors in an explanation. Demonstrating the evolution of the central subject through a series of cumulative and consecutive steps also enables the researcher to take into account multiple viewpoints. This assists in bringing analyses focussing on structural influences and agential influences into the overall interpretation of findings. Both case study and narrative approaches

permit researchers to take the messy structure of the social world into account in the process of analysis, and so make possible a more detailed, and deeper, explanation of causality. There is a corresponding fit between case study (as research methodology) and narrative (as explanatory method).

However, this is not to say that narratives are necessarily or inevitably either successful or straightforward in their identification of causal forces. Platt (1992), for instance, notes that "one way, and a rhetorically very effective way, of reaching a conclusion and taking the reader with you to that conclusion is to tell the story of how you arrived there yourself. This almost certainly entails showing that you were initially wrong or were surprised by what you discovered. This is a very different strategy from the "scientific" one of concealing human agency in the production of findings, and starting with a hypothesis that has been confirmed" (Platt, 1992: 29). A narrative structure allows the writer to 'take the reader with them', which is beneficial to the writer or analyst, but potentially dangerous for the reader and for social sciences in general, should a narrative technique be widely and thoughtlessly adopted.

Stinchcombe similarly warns that "whatever one starts with appears as the cause of a narrative and one starts historical books with a schematic account of the background to the narrative," and "as the professional tone has taken over history (from the praising and damning tone of chronicles) the normal linguistic effect is to make the narrative *appear* causal"

(Stinchcombe, 1978: 11 and 13). Becker has also discussed the 'profoundly difficult' problem of the way knowledge is presented, noting that research can often become "instead of the refinement of measures of association between independent and dependent variables, the story of how something inevitably got to be the way it is ... [a narrative analysis can lead] to what might well be called a tautology, the statement of a sequence in which is prefigured (to use Harrison White's evocative phrase) the end result. 'In my end is my beginning'" (Becker, 1992: 209).

This danger of narrative explanations must be guarded against by the researcher. Abbott, in identifying a particular danger related to single-case study narrative, provides also a potential solution. He notes that, "the conflation of narrative with single-case analysis has hidden from us the importance of building conceptual models for narrative steps. In the single-case narrative, each step need only be told; it need not be conceived as a version of a more generic type of event" (Abbott, 1992: 75-76). The implicit comparison inherent to single case study analysis is useful here, as it prevents the narrative being simply a story of the single case. A linguistic toolkit will be useful in separating out the identification of actual causal forces from the tricks of a narrative technique that can mislead a reader– a means of formally and explicitly analysing processes so that lessons learned and causes identified in one case study can be compared with findings from another. Stinchcombe alludes to this requirement in commenting that "the problem here is to break the narrative from its naïve epistemological moorings, from the impression

that the narrative is a causal theory because the tone of the language of the narrative is causal, and so to make it useful for social theory" (Stinchcombe, 1978: 13-14).

The importance of theory to case studies is again demonstrated. In order to make a case study narrative more than just a story with a "language of portents", each case narrative must be tightly bound to theoretical concepts. In this way, the steps outlined in the temporal process can be stripped of their contextual detail and laid bare as a more simple, transferable process. Ragin has noted that, "the casing operation washes empirical units of their specificity" (Ragin, 1992: 220). What is important, in order for case study narratives to be successful, is that the narrative identifies the key empirical units at a conceptual level, apart from the specificity of the in-detailed context. This then facilitates the transferability of concepts and processes from one narrative to another, which establishes the potential for generalisation.

This logic also extends to the discussion of the case itself. In order for a case study narrative to be more than just a story of a specific occurrence, the case has to have some relevance beyond its own specific context. As the case is a specific instance of a wider phenomenon, what is important is to ensure that the processes of selection, analysis and explanation of the case study are clearly and precisely explained. Platt, for example, writes that "the cases to be studied are, or should be, chosen for particular intellectual purposes" (Platt, 1992: 41). Similarly, Lieberson

comments, in an article discussing the value of small-scale case-studies, that "it should be clear how critical it is that small-*N* studies take extraordinary care in the design and measurement of the variables... the choices of cases for the study is itself critical, requiring great thought about the appropriate procedure for choosing them" (Lieberson, 1992: 114-115). Walton, noting that "we justify the choice of cases and distinguish them in certain ways according to some theory of causal relations", refers to Lazarsfeld and Rosenberg's concepts of 'typological distinctions' that are drawn from a fund of prior general knowledge (Walton, 1992: 124).

Case Studies and Macro-Level Social Theory

These points relate directly to the key role that theory plays in identifying and defining cases for study. The middle-ground theory informing the selection of a case for this study is a suggested link between nation protection and immigration controls. While using a narrative process to explain more fully the causal processes connecting (or in the Irish Free State, the absence of connection) nationalism to immigration controls will undoubtedly provide value in facilitating a more insightful, comprehensive account, it is of great importance (reflecting Abrams' concerns, discussed in Chapter Two above) that the key variables do not get lost within the narrative. Two steps can be taken to guard against this danger. Both demonstrate how case study research can be applied within a macro-level theoretical framework, a further reason for the selection of case study methods in this thesis.

The first is to ensure, as Yin recommends, that "key definitions should not be idiosyncratic. Rather, each case study and unit of analysis either should be similar to those previously studied by others or should deviate in clear, operationally defined ways" (Yin, 1994: 25). It then becomes important to develop a means of achieving this goal of systematic labelling of analytical units. An issue with narrative explanations of social processes generally is that the identification and separation of a case 'out' from its history and antecedents can be arbitrary. White notes that "choice of the kind of partition, as well as of particular boundaries is all too easily taken for granted" (White, 1992: 83). It is key therefore that the boundaries used in identifying and defining the case are: a) comprehensible and coherent; b) outlined fully for the audience; and c) in keeping with either other case studies on similar topics (to which comparisons will inevitably be made), or with the conceptual framework outlined by the theories informing the selection of the case.

Even so, this is not easily accomplished. There is no way to cut an incision in the temporal processes of the social world's evolution: one cannot easily separate an event from either the preceding events that caused it to come about, or from the subsequent events which are the result of processes set in train by its effects. Abbott acknowledges that "the crucial difficulty (a subject of much historiographical conflict) lies in drawing boundaries around the central subject given the continuous character of the social manifold" (Abbott, 1992: 62). The boundaries of the case are not easily delimitable, yet the process of selection and

limitation must be conducted with the utmost care, to ensure the viability of the narrative as a case study, rather than as simply a narrative. Wievorka likewise warns that "the more we admit that a case calls for a twofold effort of understanding, analytical and synthetic, sociological and historical, the less obvious its practical unity appears... a case forms a whole circumscribed in time and space. But what criteria justify cutting this "whole" unit out of reality? We must avoid naïve empiricism and be capable of theoretically justifying the categories used to thus cut out something we deem a case" (Wievorka, 1992: 166). The role assigned to theory in case study methodology is therefore of crucial significance.

The second step that can be taken to contribute to the reliability and generalisability of the analysis is to ensure that within the case itself, the key concepts and variables are identified. These need to be identified not just in terms of the specific groups and individuals or organisations and institutions involved in that particular case study, but also in the language of social science as different types of social structure and agents. This entails also defining their different causal powers, due not simply to the power of their personality or particular influence as that specific person or organisation at that time, but to their particular structural location within the social process. White's observation on the lack of 'innocence' in framing cases can be extended to the narrative process. There should be nothing 'innocent' in how a story is told. The narrative outcome should never be contingent, or emerge as if coincidentally from a messy process. Rather, the structure of the narrative needs to be as precisely and tightly

framed as the case itself. This is where a case study becomes primarily sociological, rather than simply an historical narrative. Wievorka, in discussing his example of research into terrorism, writes that:

> The way I arranged various arguments in a hierarchy led me to assign sociological value to factors of little account historically... I minimized factors that might be determinants in history, such as leaders' personalities, that capability of the policy and judicial system to manage violence, or the primary networks or solidarity through which activists are recruited.
> (Wievorka, 1992: 166)

The use of scientific, rather than lay, language in a case study narrative will aid in identifying the key independent variables in a transferable manner, so that their importance can be judged and compared with their relative importance and causal influence in other cases. The use of what is perhaps unnatural and non-fluent language should prevent the reader from being 'tricked' into accepting the narrative explanation of the causal process by any persuasive rhetoric used by the analyst. By constant references to and reminders of the actual artificiality of the narrative process, the reader should be assisted in maintaining a mental distance from the narration, and withstand being 'swept along' by the 'language of portents' exercised in the analysis.

Criticisms of Case Study Methods

Some of the more common criticisms of case study methodology have implicitly been raised above. Flyvbjerg outlines the 'misunderstandings' of case study research as being premised on beliefs that:

1. general theoretical (context-independent) knowledge is more valuable than concrete, practical (context-dependent) knowledge;
2. one cannot generalize on the basis of an individual case; therefore the case study cannot contribute to scientific development;
3. the case study is most useful for generating hypotheses, that is, in the first stage of a total research process, while other methods are more suitable for hypotheses testing and theory building;
4. the case study contains a bias towards verification, that is, a tendency to confirm the researcher's preconceived notions; and
5. it is often difficult to develop general propositions and theories on the basis of specific case studies.

(Flyvbjerg, 2001: 66)

All but the fourth point have been addressed in the discussion above. The following section therefore concentrates on this fourth misunderstanding of case study methods, that of a bias towards verification. In addressing this point, Flyvbjerg himself comments that "the value of the case study will depend on the validity claims which researchers can place on their study, and the status these claims obtain in dialogue with other validity claims in the discourse to which the study is a contribution, both in the scientific discipline concerned and, possibly, in the public sphere" (Flyvbjerg, 2001: 81).

He notes that a bias towards verification is actually general across all social research disciplines, and not just the case study. It is not simply case study and qualitative research methods that can be manipulated to meet the hypotheses or expectations of the analyst. However, Flybjerg notes that case study or qualitative techniques are frequently accused of being less rigorous than other approaches, as they "ostensibly allow more

room for the researcher's subjective and arbitrary judgement than other methods: they are often seen as less rigorous than are quantitative, hypothetic-deductive methods" (Flyvbjerg, 2001: 82). However, a qualitative research technique is not an opportunity for researchers to introduce their own particular biases and prejudices to the interpretation, overriding any evidence-based conclusions. Neither is it the case that the mere use of quantitative methods ensures that the research is objective and free from any subjective selection on the part of the researcher. The rigour involved in qualitative techniques is not the same as that in quantitative approaches, but this does not mean that the consequent research, analysis and interpretation of findings are inevitably less robust or reliable. By establishing a clear framework for analysis, and by signifying this throughout the exposition of findings, the rationale for any conclusions and assumptions is made clear, as is the basis on which the interpretations of evidence are made. Case study research does not, any more than any other form of research methodology, involve an automatic verification of researcher hypotheses, or a less objective and rigorous investigation of the evidence.

When researching the social world, there are direct consequences in terms of the strength of knowledge claims that can be made. The best practical expectation of identifying and explaining social processes is an adequate explanation that reasonably fits the available evidence, and can be robustly defended with reference to this evidence. Full knowledge of the underlying causes of social processes can never be attained. Nor

should employing a narrative method of revealing the research findings imply, on the other hand, that the account is ontologically comprehensive, accurate, and closed. For the researcher, this means that a fully reflexive process is required, to make explicit the underpinnings of the research methodology, and to avoid a circumstance where conceptual assumptions, research strategies and questions are hidden within the exposition of research findings. Research assumptions and processes must be rigorously noted (as far as possible) and documented. "Social science which neglects the importance of conceptualization is prone to insert the misconceptions of unexamined common sense into its ordering frameworks" (Sayer, 1992: 62).

Applying Case study Methods to Realist Social Research

Having established that case study methods can be used in a realist theoretical framework, the next step is to discuss more fully the specific suitability of case study to research shaped by morphogenesis. As a theory of social change, there have been as of yet few examples of its application in an empirical research setting. Consequently, there is no set of research methods that has been established as particularly applicable (or otherwise) to the concepts and systems of morphogenetic theory. Although Archer has implicitly used case study methods in her morphogenetic analysis, morphogenesis and indeed realist-inspired research in general, have no established methodological partners (Williams 1998). Carter has commented that this absence of pathways for realist research might potentially lead to innovative and sophisticated

research thinking; however, in the interim it provides a would-be realist and morphogenetic researcher with a complex and challenging set of problems (Carter, 2001).

As well as seeking to establish the causal processes involved in the development of the 1935 Aliens Act, this study therefore has also as a key aim an evaluation of the utility and applicability of case study methodologies to an historical and social realist research approach, specifically, that of morphogenesis. In particular, this thesis argues that an investigation of the chaotic and unordered relationships between those elements that combine to form the social world requires a specific type of practical research approach. These methods must be capable of firstly, viewing the social world from a variety of angles and positions (the multi-method approach of case studies can be especially relevant here), and secondly, allowing a comprehensive and detailed insight into the intricate relations of the social world; a methodology that facilitates the generation of an holistic depiction of social processes. Archer's theory of morphogenesis also pays specific attention to the importance of temporality in social action. The importance of temporality in case study process analysis, as noted by Abbott and Wievorka, further implies its potential relevance and utility not only for practical applications of realist and morphogenetic theoretical frameworks, but also for research problems that are historical in nature (as demonstrated through Archer's (1995) use of morphogenesis to elaborate social change in comparative cases).

In presenting the findings of this case study analysis, this thesis uses a thematic narrative to set out the morphogenetic analysis of the development of Irish Free State immigration controls. Elliott describes how narrative can be used in research to "organize a sequence of events into a whole so that the significance of each event can be understood through its relation to that whole" (Elliott, 2005: 3). However, she similarly cautions against the danger of narrative leading to causal conclusions on the part of the reader, as "even without an explicit causal link being made between the events in a narrative, readers will tend to read causality into a sequence of events recounted as a narrative" (Elliott, 2005: 7). Events are "linked to each other as cause to effect, effects in turn causing other effects, until the final effect. And even if two events seem not obviously interrelated, we infer that may be, on some larger principle that we will discover later" (Chatman, 1978: 46). This reflects the point made above in Chapter Two, highlighting the risks regarding regarding the use of rhetorical sweep in narrative. To guard against this tendency, the narrative that will be used in this thesis is therefore a thematic rather than a simple chronological narrative.

The use of a thematic analytical narrative should guard to some extent against the production of an account that, through the guise of storytelling, might engender an illusion of naturalness or inevitability in what is an interpretation of evidence. Archer, in proposing analytical narratives of emergence as a practical research tool for the explanation of morphogenetic elaboration, argues that these can "never ever be *grand*

precisely because the imperative to narrate derives from recognizing the intervention of contingency and the need to examine its effects on the exercise or suspension of the generative powers in question – since outcomes will vary accordingly but unpredictably" (Archer, 1995: 343).

A second reason for the use of narrative in this thesis is to demonstrate the benefit of theory-guided analysis of findings (and specifically that of the morphogenetic framework); using a theoretical model to guide the analysis and interpretation helps order the chaotic nature of the social world, and demonstrates the value of applying social theory to an historical research problem. This thesis approaches the policy process not as a chronological account, to be narrated from the beginning to the end, but sets out instead a series of interconnecting themes and interests that combined to produce a particular outcome. This qualitative, 'theory-building' approach, drawing out connections between different structural, cultural and agential emergent properties through the analytical process (as opposed to a 'theory-testing' approach, with the researcher defining in advance the likely relevant emergent properties and using the research process to validate these hypotheses) delivers an evidentially-grounded narrative of the morphogenetic cycle. Inevitably, this approach can call into question the subjectivity of the researcher and of the analytical process, but selecting key influences through analysis of evidence is arguably less arbitrary than selecting them *a priori*, solely through theoretical analysis, and thus structuring the analysis around these assumptions.

The narrative discusses the structural and cultural emergent properties that were identified as most influential on the shaping of Free State immigration controls. Elliott demonstrates the utility of narrative in research into historical processes and specifically in research linking agency to social structures, citing the relevance of narrative in relation to "a growing recognition among sociologists of the importance of the temporal dimension for understanding the inter-relation between the individual lives and the social contexts" (Elliott, 2005: 4). The emergent properties analysed in this historical narrative were selected as a result both of primary and secondary research through open questioning and investigation of the archival evidence, and also extensive secondary research on the historical period. Documentary evidence in three archive collections (National Archives (UK), Irish National Archives, and the de Valera archives at UCD) was surveyed for papers relating to Irish Free State domestic politics during the 1930s, Free State relations with Great Britain and the Commonwealth, and specifically for papers regarding the Aliens Act (1935).

In the UK National Archives, files and documents pertaining to relations between the British Government and the Irish Free State and Free State politicians were reviewed thoroughly. Similarly within the Irish National Archives the available archive material relating to Free State relations with the United Kingdom and Commonwealth, immigration and emigration policies was researched. The process of identifying and selecting relevant evidence was conducted using key word searches in online and key

catalogues. For example, in the UK National Archives, some of the key word searches were for 'relations with Irish Free State/Ireland'; '(im)/(e)/migration and Ireland'; 'Aliens and Ireland' in Cabinet Office records, Dominions Office records, and Home Office records. The list of matching archives was then searched item by item, and those archives relating to the period from the early 1920s to late 1930s were ordered and read individually. Photocopies were made of all relevant documents, which were then analysed qualitatively. Evidence of key interest was highlighted and transcribed. These selected references were then categorised by key themes that emerged from the evidence review.

Only one file directly relating to the Aliens Act (1935) was found in the National Archives of Ireland. In the absence of other files relating to this legislation, this file can be assumed to be the main official documentation connected to the drafting and legislative development of the Act. The file, however, is not complete; for example, more than two documents within the file had pages missing. The documents within the file did not follow any particular order, either consecutive or thematic. Additionally, the practice in the Irish Free State of not recording fully the proceedings of meetings or telephone conversations (also adhered to by the recorders of the Free State Executive Committee (Cabinet) meetings) means that there are no formal records of meetings or discussions relating to the development of the policy contained within the file: its contents are limited to documentary records, such as letters between government departments and notes to Ministers. It is therefore much more difficult

than might normally be the case within social or historical research, to fully ascertain the narrative and content of the processes at issue.

Conclusion

Having now established the methodology and specific research method that shapes the research process in this thesis, the following chapters begin the analytical stages, using case study methods and a morphogenetic historical narrative to explain the process of developing immigration controls in the Irish Free State. Archer describes how, in taking forward the analysis of emergence, it is impossible to avoid producing some form of historical narrative, as "each and every time the aim is to explain why things structural, cultural or agential are so and not otherwise, at a given moment in a given society. These analytical histories of emergence are explanatory, retrodictive and corrigible accounts. They can never be unanalytical because what is narrated is the interplay between necessity and contingency" (Archer, 1995: 344). The focus is on the interaction between the different agents that participated, directly or indirectly, in this policy development, and on how these agents were influenced by the structural contexts in which they operated.

This process is taken forward in the next three chapters. Chapter Five focuses on setting out the prior structural conditioning for the process of developing Free State immigration controls. It establishes the historical context (the morphogenetic cycle's T_1) for the development of the Irish immigration controls. Providing an overview of the Irish political context in

the early twentieth century, and Irish relations with Britain and the Commonwealth, the chapter identifies and describes the key structural, cultural and agential properties that shaped the 1935 Aliens Act. Having established the context for social action, Chapters Six and Seven then focus on the social interaction between agency and structure, and explain how this led to the social elaboration of the 1935 Aliens Act.

Chapter Five: Development of Irish Immigration Policy; Setting the Context

Introduction

This and following chapters explore the development of Irish Free State (Saorstát Éireann) immigration controls, focussing on the interaction of agency with structural and cultural contexts during the policy development: what was being aimed for, by whom, and why? How does an understanding of these issues help explain the final outcome of the 1935 Aliens Act? The research question underpinning the analysis is whether or not there was a determining relationship between the 1935 Irish Free State immigration controls and particular Free State national interests, such as the protection of the nation from the intrusion of foreigners, as seen in the development of Canadian, Australian and New Zealand immigration controls discussed in Chapter One.

Secondly, as this case study is placed within a specific realist theoretical framework, the historical process under analysis is approached as a morphogenetic cycle. The morphogenetic cycle is modelled around a simple temporal sequence (which Archer segments as T_1, T_2 and T_3). The temporal model is based on an assumption that pre-existing social structures shape the subsequent action of agents, which in turn develops or reproduces these structures. The first stage of the cycle is pre-action, and defines the social world at the outset of the activity that the research addresses. The second stage describes the interaction between structure

and agency – how existing structures constrain and enable agency. The third stage then focuses on the impact of activity on the social world – the reproduction or transformation of structures. To take forward morphogenetic analysis, a significant first task is then to establish the context for social action and so set out the key social world features at the beginning of the morphogenetic cycle.

These chapters form the analytical core of this thesis. To apply morphogenesis to this case study of Irish immigration controls, attention is first given to the social context at the beginning of their development. This requires an explanation of the relevant political, cultural and economic circumstances of the Irish Free State in the late 1920s and 1930s, as the legislation was being developed. Chapter One demonstrated a relationship between earlier British legislation and the 1935 Free State controls. Irish politics in the early twentieth century were overwhelmingly concerned with independence from Britain. To properly describe the social context in 1930s Free State Ireland and explain the importance and characteristics of the different structural and cultural emergent properties, it is necessary to provide an historical narrative of the development of British-Irish relations through the nineteenth century. Given the focus on agency within a morphogenetic methodology, the aim is to identify the key agents and actors for this thesis, and clarify their situational locations at the beginning of the morphogenetic cycle, so that the subsequent analysis is focussed on drawing out who is doing what, and for what purposes.

Introducing the Morphogenetic Cycle: the Context for Action

The first immigration act in an independent Ireland, the Aliens Act (1935), was enacted in tandem with a corresponding piece of legislation, the Nationality and Citizenship Act (1935). The explicit rationale behind the introduction of the Aliens Act was to adjust the existing Aliens legislation (as introduced by the British Government when Ireland was a part of the United Kingdom, in the 1914 Aliens and 1919 Aliens (Amendment) Acts) to reflect the new status of citizenship introduced at this time. The 1935 Aliens Act therefore appears to be a relatively uncontroversial piece of legislation: by way of contrast, the new Fianna Fáil government had introduced two years previously a highly controversial Bill, designed to repeal the requirement of Free State parliamentary deputies to take an oath of allegiance to the King on taking up office (McMahon, 1983; Lee, 1989; Foster 1989; Mansergh 1997; Jackson 1999; Hoppen 1999; Ferriter, 2007). Moreover, when the Aliens Bill itself was introduced it aroused less interest than the corresponding Nationality and Citizenship Bill, which was arguably the more controversial of the two.

This was perhaps due to the fact that the new Aliens controls did not markedly alter the status quo of the pre-existing British Aliens Acts with regard to immigration controls in the Free State, whereas the Nationality and Citizenship Bill significantly altered the structure of Irish Free State citizens' relationship with the British Empire and Commonwealth. The function of the Aliens Bill, as outlined by the government, was not to introduce a new regime of immigration policy, but rather, to enact Irish

Free State immigration legislation that would correspond to the new nationality and citizenship clauses being introduced. There was a consistency of policy design from the UK 1914 and 1919 Acts to the 1935 Free State Aliens Act. The former two at a point of particular pertinence in the UK's history that brought specific national interests to the fore in terms of immigration controls, apparently shaped by the context of a European war.

The Aliens Bill was introduced to the Irish Free State parliament (Dáil Éireann) in 1934. However, treating this process as a morphogenetic cycle, the T_1 for this thesis is earlier, and not actually a fixed and precise point in time. Archer's work on morphogenesis (see especially Archer, 1995) is relatively non-directive as to specifically identifying the beginning of a morphogenetic cycle (T_1). The impression is that of a single point in time immediately before the activity in T_2 that produces morphogenesis or morphostasis. Due to the consistent incremental effect of historical events and the passage of time, it is not feasible to adequately set the scene and describe the relevant emergent properties coherently and completely by referring to a single point in time as a T_1. A potentially more analytically useful means of defining a T_1 is not as one point of time immediately in advance of the action we are interested in, but as a time period, the end point of which acts as a cut-off point at which the researcher begins to analyse the interaction in T_2. Although the Aliens Bill was introduced in the Free State in 1934 by the Eamon de Valera-led Fianna Fáil government, which had been in power since 1932, the development of

what was to become the Aliens Act (1935) actually began in the late 1920s, under the previous Cumann na nGeadhal government. In this thesis, T_1 is identified as ending in the late 1920s, when early drafts of an immigration control Bill were first written.

To explain the structural and cultural context of the 1920s and 1930s Free State that politicians operated within, and therefore the structural positioning of the actors involved in developing the Aliens Bill, an understanding of the development of Irish nationalist politics in the nineteenth and early twentieth centuries, leading to the establishment of the Irish Free State in 1922, is necessary. This provides an exposition of the key political relationships between the two main political parties in the Irish Free State (Cumann na nGaedheal and Fianna Fáil) and between Irish politicians and the British Government. The Aliens Act (1935) does not stand alone as a distinct piece of legislation, but forms part of a series of legislative initiatives launched by Eamon de Valera in the 1930s which were aimed at increasing the level of independence of the Irish Free State from Great Britain (McMahon 1984; Foster, 1989; Jackson, 1999; Hoppen, 1999; Ferriter, 2007).

The importance of Irish history to the political context of the Irish Free State should not be underestimated; according to Hoppen "modern Ireland 'like Dracula's Transylvania' has long been 'much troubled by the undead'" (Hoppen, 1999: 1; Stewart, 1977: 15). Modern Irish nationalist politics, like much nationalist politics, has been a profoundly historical

movement. In order to explain and analyse the motives and actions of Irish nationalist politicians in the early twentieth century, a brief review of the development and evolution of Irish nationalist politics in the previous century is useful. During the nineteenth century, when the structures and foundations for twentieth century Irish nationalist politics were laid, intellectual life reflected this interest in Irish history, "notably in the retailing of history, which was becoming an Irish obsession" (Foster, 1989: 290; see for example Taafe, 1809-11, and Plowden, 1803).

Activity motivated by Irish independence movements (particularly directed against Britain) can be traced back centuries. Historical events such as the Battle of Clontarf (1014), where the Irish High King Brian Boru was victorious, and the Battle of the Boyne (1690), where the Protestant William of Orange defeated the Catholic King James II, provided a motivating focus for later nationalist leaders. However, the development of an explicitly political nationalist force in Ireland (political in terms of working within – as well as outside – constitutional and political structures) began in the eighteenth century.

The Beginnings of Irish Nationalist Politics: from Union to Famine

In the late eighteenth century, Ireland was a part of the British Empire, although it had a separate parliament, dominated by an Anglo-Irish Protestant ascendancy. Protestants in Ireland were a national minority but held power over the Catholic majority. The Society of the United Irishmen, led by Wolfe Tone, was established in 1791 and sought an

independent Irish republic, albeit one in which Protestant Irishmen expected their dominant role to continue "regardless of the insistent fact the vast majority of all those living in Ireland were Roman Catholics" (Hoppen, 1999). Nationalist politics in Ireland were thus non-sectarian in their origins, with Protestant Irishmen often leading the early Irish independence cause. Irish politics traditionally had a significant local focus, however, and the nationalist rising in 1798, although organised by and attributed to the United Irishmen, was as much based in local differences as in high nationalist politics. The rebellion which broke out in May 1798 "was not a United Irish one... but a protective uprising which a spent United Irish leadership failed to harness" (Elliott, 1982: 166). It was not "a single rising at all but more a series of separate incidents based upon a kaleidoscope of local issues and imperatives" (Hoppen, 1999: 13).

Notwithstanding this, the 1798 rebellion, the first organised and widespread rebellion against British rule in Ireland, caused immense disquiet in the British Government; the Irish parliament in Dublin was no longer trusted to manage the running of the country, and in 1800 the Act of Union made Ireland a part of the United Kingdom. The Union was "to set the rhetorical terms of nationalist politics over the next century... the thing to be for or against, the simple reason for everything" (Foster, 1989: 289-90).

Under the new order, Daniel O'Connell and his Catholic Association emerged to provide a first model for sectarian Irish nationalist politics.

Catholics had been disenfranchised in Ireland between 1728 and 1793 (Jackson, 1999) and in the 1820s, a campaign was launched for Catholic 'emancipation', which meant full rights of political representation and civil office-holding (Foster, 1989). Founded in 1823, the Catholic Association provided a political focus for religious and cultural grievances against Britain. O'Connell's 1828 election win in Clare "began a new epoch in Irish politics, and in Anglo-Irish relations" (O'Ferrall, 1985: 133). O'Connell and his Catholic Association gave a new religious focus to Irish nationalist politics: with the politicisation of the priesthood, religion had now become a major focus of the political agenda, and "the future possibility of any purely secular agitation largely disappeared" (Hoppen, 1999: 84; see also Farrell, 1971). Jackson describes O'Connell's mass movement as empowering the "hitherto powerless", giving Catholics a sense of control over their own future.

> By creating the most successful popular mobilisation of Catholic opinion in Irish history, O'Connell provided a working model for later nationalist activists: indeed, by reinforcing a sense of the Catholic past, of historical grievance, by reinforcing popular antipathy towards the 'Saxon', O'Connell exposed the bedrock of nationalist sentiment upon which he, and the inheritors of his constitutional tradition, would attempt to build.
>
> (Jackson, 1999: 36)

Ireland's demography was varied, with a significant majority of the Irish Protestant population resident in Ulster, and not as generally supportive of the move for Irish independence from the United Kingdom. Ulster politics was therefore a different breed from the majority nationalist Irish

politics. Irish nationalist politicians avoided confronting the complexities of the Ulster situation, and O'Connell "was ignorant of Ulster in particular and Protestantism in general" (Hoppen, 1999: 24). Although "O'Connell insisted on the unreality of sectarian divisions" (Foster, 1989: 301), his politics implicitly admitted of the distinctiveness of Ulster in terms of both economics and religion, and after 'emancipation', Irish politics "would set hard into a sectarian mould, though O'Connell tried hard to deny the process" (Foster, 1989: 306). This implicit acceptance by O'Connell of the separateness of Ulster reflects an ongoing pattern in Irish nationalism; that "long, therefore, before partition was ever considered, politicians on all sides seem, sometimes consciously, sometimes not, to have behaved and talked as if a species of geographical and religious border was already firmly in place" (Hoppen, 1999: 24, see also Foster 1989, Jackson, 1999.

The British government introduced electoral reform legislation in 1829, which although only granting political rights to a select group of Catholics, and therefore affecting only a "small and propertied elite" (Jackson, 1999: 35), conceded the principle of the Catholic emancipation movement. The next item on the O'Connellite agenda was Repeal of the Act of Union. The high point of O'Connell's political career was the 1832 general election, when 39 "Repealers" were returned to Parliament (Jackson, 1999). However, O'Connell did not define his Repeal objective as clearly as that of emancipation. He failed to develop a coherent strategic vision for Irish cultural and political independence. By the time of O'Connell's

death in 1847, new factions within Irish nationalist politics had moved to fill this gap, including the cultural nationalist (and not always constitutionalist) Young Irelanders.

During the nineteenth century, the development of a national education system (after 1831) which promoted the English language, and a corresponding increased anglicization of Irish life, produced 'something of a romantic backlash', typified by the Young Irelanders' emphasis upon an Irish cultural identity distinct and separate from that of England. Indeed, for leaders of this movement, such as the Protestant Thomas Davis, "culture had become the main prop of nationalist commitment, with the result that the so-called 'Young Irelanders' ... saw the repeal struggle in a very different way from O'Connell, whose pragmatic Catholic utilitarianism seemed to them at once sectarian, narrow and drearily mundane" (Hoppen, 1999: 32-33). The movement's intellectual origins were in German romanticism. Young Irelanders were the first Irish nationalists to harness the power of historical iconography and adopted images of lasting power and force: "harps, shamrocks, sunbursts, and pictures of 'revolutionary' patriarchs such as Brian Boru, Owen Roe O'Neill and Patrick Sarsfield" (Hoppen, 1999: 2).

Unlike O'Connell, Davis and other Young Irelanders developed "a formal, though inchoate, theory of nationhood as something dependent on language, culture and race" (MacDonagh, 1989: 198-200). Though the Young Irelanders movement, compared to O'Connell's constitutional

politics, achieved little in terms of populist political movements, it provided a further idealistic, romantic template for later national activity. Future Irish nationalist movements would "oscillate between the shifting attractions of two traditions – the O'Connellite and that produced by an uneasy amalgam of Young Ireland's romanticism and Wolfe Tone's republicanism" (Hoppen, 1999: 35). Despite the Protestant origins of the Young Ireland and United Irishmen groups, the popular success of O'Connell's movement meant that by the 1840s, "Catholicism had been securely identified as the national experience. Young Ireland might preach secular European romanticism, but in Ireland nationalism was almost entirely Catholic; and Unionism was principally, if less exclusively, Protestant" (Foster, 1989: 317).

In the late 1840s, Irish nationalist political momentum was abruptly halted by the Great Famine, beginning in 1845, which radically reshaped Irish demographic structures and moved the "land" agenda to the heart of Irish politics. It destroyed the Irish political context in which the O'Connellite agenda had progressed so powerfully. The immediate cause of the Famine was a virulent fungus, *phythopthora infestans*, observed in the United States in 1843 and which began to attack the Irish potato crop in the late summer of 1845. The rural Irish population's dependence on the potato had grown since the early 1700s and by the time of the Famine, it constituted the staple foodstuff of the labouring poor (Jackson, 1999). The destruction of the potato crop for five successive summers following 1845 had catastrophic consequences for rural Ireland's poor.

Approximately 1-1.5 million deaths were caused by the Famine, from a population recorded in the 1841 Census as between 8.2 and 8.4 million (Hoppen, 1999: 62, Mokyr 1983, 265). As well as the enormity of this death toll, the Famine also accelerated Irish emigration. In the thirty year period between 1815 and 1845, 1.5 million people emigrated from Ireland (Mokyr, 1983: 230), whereas during the six Famine years of 1846-51, 1 million people emigrated (Mokyr, 1983: 266).

In the 1851 census, the Irish population stood at about 6.5 million. Post-Famine Ireland was a markedly different society from that of the early 1840s. Due to the reduction, through death and emigration, of the labouring poor as a social group, the remaining population was relatively better off than had been the Irish population before the Famine, but underwent a radical social readjustment. One consequence of the Famine was an abiding resentment of England.

> The Famine did not create but it surely transformed the anti-English hostility that underpinned much of the Irish nationalist movement in the mid- and late nineteenth century. Before the Famine, anti-English sentiment was deep-seated, but perhaps remote ... The Famine brought much more sweeping casualties and a much more vivid, because painful and immediate, sense of the injustice of British government. In the context of disease and starvation this hostility could find no immediate expression; but, in the aftermath of the Famine, the combination of irreducible anger and relative prosperity among the farming population would provide the foundations for a successful nationalist movement.
>
> (Jackson, 1999: 86)

The patterns of emigration initiated during the Famine were enduring, so much so that by 1876 "when the pace of post- Famine flight had already slackened, the probability of eventual migration was still almost one-half" (Fitzpatrick, 1980: 120).

Post-Famine Irish Politics: Home Rule and Land, Constitutional and Militant Nationalism

In the 1850s further Irish nationalist and political associations were formed: in 1851 the Irish Tenant League was founded, in 1851 the Catholic Defence Association. In 1858 the Irish Republican Brotherhood (IRB) – a secret society, which, with its American counterpart, came to be known as the Fenians - was founded by revolutionaries who had partaken in a minor rising in 1848. The Fenian ideology's "central motivation revolved round the view of England as a satanic power on earth, a mystic commitment to Ireland, and a belief that an independent Irish republic, 'virtually' established in the hearts of men, possessed a superior moral authority" (Foster, 1989: 391). The IRB organised a further rising in 1867, which although "ill-coordinated and easily quelled" (Hoppen, 1999: 121) delivered further martyrs to the Republican Irish cause. These 'Manchester Martyrs' who were executed by the British Government after being found plotting to bomb Manchester mobilised "the full force of sentimental nationalism ... propertied Irish people could now, through the patriotic sacrifice of the Manchester Martyrs, appreciate those whom they had once suspected of propagating socialism and anarchy" (Jackson, 1999: 102).

The growing popularity of the Fenians resulted in a blurring of the distinctions between the constitutional and physical force traditions, an enduring characteristic of Irish nationalist politics, which was further continued by the joint success of the Irish Parliamentary Party (IPP) and the Land League. The IPP was founded by Isaac Butt, a Protestant lawyer, in 1871, but was led by the charismatic Charles Stuart Parnell from 1880, after the death of Butt. Parnell's great success was in his construction of an alliance of "an improbable amalgam of graziers, small farmers and labourers, Dubliners and country people, Catholics and Fenians" (Jackson, 1999: 118). The Mayo Land League, co-founded by Michael Davitt in April 1879, had the purpose of securing greater land rights for Irish tenant farmers against mainly Protestant landlords (Boyce, 1990: 164).

In October 1879 Parnell and Davitt launched "the Land War" and Parnell "assumed the leadership of a combined agrarian and nationalist movement" – the Irish National Land League (Hoppen, 1999: 125). A Depression in the late 1870s due to a conjunction of bad harvests and falling prices for produce made it difficult for tenants to pay their rents. Evictions rose to levels not seen since the Famine. The Land War withheld rent from and socially boycotted[13] landlords seen as acting unfairly and fought for better terms for Irish tenant farmers; its focus was

[13] The word "boycott" comes from the most famous example of this practice; Captain Boycott, a Mayo Landlord

winning "3 F's" for Irish tenant farmers; fair rent, free sale, and fixity of tenure. The Land War delivered a Land Act from the British government of Gladstone in 1881, which contained the substance of the 3 F's. The events of 1879-82 had so deeply intertwined the objectives of land and nationhood that these "began to blend almost into a single entity, with the result that, for years to come, the land question came close to losing the character of a separate phenomenon" (Hoppen, 1999: 127) becoming instead something very like "a metaphor for the large issue of nationality" itself (Bull, 1996: 95).

Following the success of the Land movement, Parnell now focussed more single-mindedly on his main objective – achieving Home Rule for Ireland (an independent parliament in Dublin with control over domestic affairs). The nationalist politics practised by the Home Rulers "would institutionalise Anglophobia" (Foster, 1989: 399). The Catholic church continued to be politically engaged; in 1884 the Catholic bishops announced their support for the Home Rule movement and the 1885 general election resulted in an outstanding triumph for the Party, which won every Irish seat excepting North-east Ulster and Trinity College Dublin (both key unionist strongholds).

The IPP now held the balance of power in the Westminster Parliament – they had just enough seats to either put the Liberals in, or join with the Conservatives to keep them out (but were one seat short of being able to put the Conservatives in power). Gladstone then announced his

conversion to the idea of Irish Home Rule, and the IPP supported the new Liberal government. A first Home Rule Bill was introduced in April 1886, but its defeat was almost inevitable; despite being supported by Gladstone, enough Liberals voted against the Bill to ensure its failure. In December 1889 Parnell's leadership was ruined; he had engaged in a long affair with Kathleen O'Shea and when her husband (Captain O'Shea, a member of the IPP) filed for divorce proceedings, he cited Parnell as co-respondent. Parnell lost the support of the Catholic Church, a large portion of the religious Irish population, and Gladstone, who made it clear that the Liberal Party could could no longer work with him. The IPP split into two factions, for and against Parnell. Parnell died in 1891, still campaigning politically. Following a traumatic split, which resulted in Irish nationalist politics drifting without clear leadership for nearly a decade, the IPP was reunited in 1900 under John Redmond. In Westminster, Gladstone continued his battle to introduce Home Rule for Ireland; a further Home Rule Bill was introduced in 1893, but this was defeated in the House of Lords, where a Conservative majority made it unlikely that a Liberal party Home Rule Bill would be passed.

In the 1890s, Irish cultural nationalism gained an increasing impetus, with organisations such as the Gaelic Athletic Association and the Gaelic League contributing to a "Gaelic revival". This was, like the earlier Young Irelander movement, a response to the perceived anglicization of Irish culture (Hutchinson 1987). But although it was similarly nostalgic and celebrated the glory of Ireland's past, the Gaelic revival "in all its linguistic

social and sporting forms was above all a profoundly modern phenomenon. It looked quite as much to the future as to the past, and ... radiated a dynamic – if complex – modernity far removed from mere nostalgia and antiquarianism" (Hoppen, 1999: 142). However, notwithstanding the power and dynamism of this movement, what Foster calls the "the radical avant-garde of cultural nationalism" constituted a small minority, and cultural and revolutionary Fenianism were operating at a very low level in comparison to the more popular GAA and Gaelic League (Foster, 1989: 432).

Constitutional nationalist politics had the support of the majority of the population: membership of the United Irish League was high, and it was the Home Rule agenda of the reunited IPP, rather than a separatist Gaelicist agenda that received wide public support. In 1911, the Liberals, still needing IPP support in Westminster, passed the Parliament Act, which removed the veto powers of the House of Lords over (Home Rule) Bills. A key problem that remained, though, was the issue of the jurisdiction of a Home Rule government in Dublin, namely, whether Ireland was one nation, or two. Northern Irish Unionists, who had no desire to be part of an Ireland ruled from Dublin, continually lobbied against Home Rule, and had significant support in Westminster. Behind the scenes, the idea of partitioning the island - based on the four counties of Antrim, Armagh, Londonderry and Down - had been discussed (in August 1911) in order to placate the Unionist northern Irish Protestants (Foster, 1989).

Now that the power of the House of Lords to veto Home Rule had been removed, and with the constitutional goal of Home Rule nearing for Ireland, 1913 saw the formation of an armed force in Ulster – the "Ulster Volunteers" - formed to defend Ulster from a Dublin government. Later that year, a corresponding southern Irish 'National Volunteer' force was established. In May 1914 a Home Rule Bill was finally passed in Westminster, which allowed for northern Irish Unionists an opt-out from Home Rule on a county basis for six years. The Bill's introduction was, however, delayed due to the outbreak of war in Europe. The IPP saw the war as its chance to prove to Great Britain and northern Irish Unionists that Irish Home Rule was fully compatible with loyalty to Crown and Empire, and Redmond exhorted the National Volunteers to join the British Army. To this way of thinking, joint action with the Ulster Volunteers would forge a union of minds between the northern and southern Irish (Foster, 1989). A large majority of National Volunteers (150,000) supported Redmond and enlisted in the British Army; between 3,000 and 10,000 others, who called themselves the 'Irish Volunteers', essentially representing the radical, militant IRB-influenced element of the Volunteers, remained in Ireland.

The old maxim that "England's difficulty was Ireland's opportunity" influenced the hard core of the remaining Irish Volunteers. Led by Pádraig Pearse – whose "*mélange* of Gaelic Catholicism, mythical history, oratorical drive, and a deep belief in the solvent qualities of violence led him to see the "blood sacrifice" of even a possibly hopeless

rising as the culmination of earlier revivalist work in education and literature" (Hoppen, 1999: 148) - approximately 1600 rebels (a minority within the minority of Irish Volunteers (Foster, 1989)) launched a rising on Easter Monday 1916. They took over landmark buildings in Dublin, principally the General Post Office in O'Connell Street, and declared a Provisional Irish Republic. Their principal motivation was an "emotional and exalted Anglophobia, mobilising support for a war against the traditional 'English enemy'" (Foster, 1989: 480).

The whole enterprise "dumbfounded general opinion in Dublin; many accounts exist that record astonishment, derision and occasional inspiration" (Foster, 1989: 481). Had things ended then, and the British Government responded quietly, as it did to the earlier 1848 and 1867 risings, the 1916 Rising might have had little lasting impact. But the response of the British Government in 1916 was influenced by the First World War, and the Government was fearful of having a hostile and troublesome neighbour. The rebels were summarily tried and executed. Richard English notes that events of 1916– albeit not as the rebels intended – "did indeed help to recast much Irish - and therefore also British - history ... For the executions helped to achieve what the rebellion itself had not - an intensification of nationalist feeling well beyond the rebel ranks" (English, 2003: 5). The dead rebels became martyrs, and the focus of Irish politics now moved decisively away from support for constitutional settlements for Home Rule and towards the objective of an independent Irish Republic. The response "with its unpredictable swerves

from severity to leniency, its lack of clarity, its failures to see the consequences of certain actions, created that bizarre congeries of accidents which almost alone gave the rising an effective after-life" (Hoppen, 1999: 149).

Michael Collins (quoted in English, 2003), the leader of the IRA during the guerrilla War of Independence (1919-21) believed that the 1916 Rising marked a departure from a fundamentally flawed Irish nationalist parliamentary strategy:

> A strategy wrong both for its suggestion that Ireland was a part of the United Kingdom (rather than an independent nation), and for its implication that the Irish should not look to themselves but to England for improving government or for the gift of freedom. Crucial to Republican thinking in 1916 and long afterwards was this key notion: that parliamentary politics had been ineffective, and unavoidably so; that constitutional politics were of necessity compromising and compromised.
>
> (English, 2003: 7)

The British Government, in an effort to enable constitutionalists to establish a Home Rule state for the rapidly polarising Ireland, launched a Conference on Ireland in 1916, and an Irish Convention which met from July 1917. However, by the end of 1917 "all that had been clarified was that both moderate nationalists and Unionists accepted the exclusion of the six-county Ulster" (Foster, 1989: 486). But the 1916 rising had now changed the Irish political context, so that the slow progression of Irish independence through Home Rule was no longer sufficient to satisfy Irish nationalist desires.

During the 1918 general election, the spectre of conscription was looming in Ireland. Lloyd George announced that Home Rule in Ireland would be withheld until "conditions made it possible", thus delivering "the *coup de grâce* to the Irish Parliamentary Party" (Foster, 1989: 390). Sinn Féin (meaning "ourselves"), a non-violent movement established in the early twentieth century by Arthur Griffith, benefited from the political fall-out. Sinn Féin won just under 48 per cent of the total Irish vote, with 65 per cent of the vote in the 26 counties which would ultimately form the Irish Free State (Jackson, 1999). The IPP had lost favour; its problem in 1918 "was not that Parnellism had lost its appeal, but that the Party had ceased to convince the people that they stood for Parnellism" (Boyce, 1982: 289; see also Garvin, 1996: 118-22). The natural heirs to Parnell's charismatic leadership were now in Sinn Féin, whose victory lay not just at the polls, but also "in establishing a high level of brand recognition as the market leader in separatist politics" (Jackson, 1999: 245). Sinn Féin refused to take up their seats at Westminster, and established an independent Irish Parliament in Dublin, Dáil Éireann, in January 1919, which was boycotted by both Unionists and the IPP. Dáil Éireann elected Eamon de Valera as Príomh Aire (President) of its Executive Council in April 1919. This rebel government was "far from being a fully functioning government, but it did represent a striking way of questioning British legitimacy in Ireland" (English, 2003: 15).

At the same time as Sinn Féin seized the initiative in parliamentary politics, the IRB began an increasing campaign of guerrilla warfare

against the British Government (the War of Independence). The alternative Irish government established by Sinn Féin succeeded in securing and holding the allegiance of substantial sections of the nationalist population. They were helped in no small part by the brutality of the ex-Auxiliary army forces brought to Ireland by the British Government to counteract the IRB terror. They were known as the 'Black and Tans' on account of their spatchcock-patterned uniform. In December 1920, the British Government passed the Government of Ireland Act, which allowed for a Home Rule government in Ireland (for a detailed discussion, see Mansergh, 1997); however given the violent and unstable political context, the Act remained a 'dead letter' in southern Ireland (Hoppen, 1999), whilst the six north-eastern counties accepted secession and established a government in Belfast. In summer 1921, the British government opened negotiations with Sinn Féin and the IRB about the future of southern Ireland, and a truce was agreed, culminating in the signing of the Anglo-Irish Treaty in December 1921.

The Anglo-Irish Treaty, The Irish Civil War and the Birth of the Irish Free State

The terms offered to the Irish in the Treaty amounted to full Dominion status (the Treaty text quotes the example of Canada), more than the Home Rule status that was on the table in 1918 (Jackson, 1999). However, this Dominion status was only possible because the British government had already dealt with the Ulster problem through the creation of Northern Ireland following the Government of Ireland Act

1920; independence was won for Ireland therefore, by accepting the reality of partition. Michael Collins "was later to remark, with a characteristically cool insight, that the surrender of the Republic had occurred not with the Treaty signed in December 1921 but 'with the acceptance of the invitation'" (Jackson, 1999: 258). A Boundary Commission would be established to review the Partition arrangements; this was sold to the Irish delegation as a way of making Northern Ireland unviable as a state (Pakenham, 1972: Curran 1980); in the event, however, the Commission reaffirmed the partition boundaries, and Northern Ireland remained intact.

In actuality, the implicit acceptance of Partition suited a far wider range of opinion than would have admitted the fact. It "allowed many groups to have their cake and eat it as well: to posture about the wickedness of divisions 'imposed' by Britain while enjoying the psychological, economic and political comforts which the border provided" (Hoppen, 1999: 188). Irish nationalist politicians, though, never agreed that Partition was an acceptable long-term outcome for Ireland. The Treaty's division of Ireland into two states was presented as a necessary "stepping-stone" to an Irish Republic (Jackson, 1999, Hoppen 1999); the aim of Irish nationalist politics was always to achieve a fully independent all-Ireland state. In the short-term, what was much harder to accept were the symbols and rituals of British 'dominion', rather than the practicalities of independence; but these were the very elements necessary to reconcile Unionists and imperialists to Irish independence; "the symbols of monarchy ... there to

comfort English opinion and to deceive it as to the status of the new polity, actually succeeded in deceiving much of Sinn Féin and the IRA " (Garvin, 1996: 51).

De Valera refused to be part of the delegation that travelled to London to negotiate the terms of the treaty, and insisted that Dáil Éireann should be consulted before any document was signed. In the event, this was not possible, and with Lloyd George threatening further war against Ireland if no agreement was delivered, Arthur Griffiths and Michael Collins signed the Treaty on December 6th. De Valera renounced the Treaty, preferring instead his proposal of "external association" – which would allow for reciprocal citizenship and Republican status within the Commonwealth - a concept which, according to Foster "was ingenious, but ahead of its time: the contemporary constitutional framework could not incorporate it. The position of the Crown in Irish affairs remained the crux" (Foster, 1989: 505). Dáil Éireann was split; after a divisive and vigorous debate, on 7 January 1922 the Treaty was accepted by Dáil Éireann by 64 votes to 57. De Valera left the chamber, and Michael Collins became Head of the Executive Council of the Irish Free State. The members and structures of the former provisional government of Ireland – Dáil Éireann, the Executive Council, the IRB, Sinn Féin - were profoundly divided over the decision.

On 14 April, leaders of the IRB seized the Four Courts – the centre of Irish judiciary. Under increasing pressure from the British Government to

take action against the rebels, the new Irish Free State Government[14] bombarded the Four Courts on June 28 and thus began the Irish Civil War. The Free State side had the support of the majority of the people (in the 1923 election, twice as many votes were cast in favour of the Treaty as against it (Foster, 1989)) and the blessing of the Catholic Church. After a bloody and divisive 15 months, the Civil War ended with a ceasefire in May 1923, with the Treaty forces holding victory. Michael Collins had been assassinated in the Civil War, and William Cosgrave duly took over as President of the Executive Council.

The new Free State "entered into its infancy with shattered illusions, and a combined burden of personal tragedy as well as financial and cultural loss. Perhaps the greatest political casualty lay with the loss of unity and confidence and moral certainty which had characterised the national struggle against the British" (Jackson, 1999: 274). The party of government was Cumann na nGaedheal, formed out of a variety of pro-Treaty forces. The political context in the Free State reflected the split over the Treaty. The two main political parties were Cumann na nGaedheal and Sinn Féin, with smaller Labour and Farmer parties, and independents, bringing up the rear.

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[14] Known in Ireland as Saorstát Éireann, the Irish language name, which can be translated from the Irish as 'Irish Republic' as opposed to 'Irish Free State', the official English-language name.

The pro-Treaty side had lost in Collins their most charismatic leader, and Cumann na nGaedheal, the party of government, was socially conservative. From 1923 the new government worked to build the new state and institutions, committed to the idea of a parliamentary democracy. The collapse of the economic boom in the early 1920s "further reinforced the economic and social conservatism of the new Free State" (Hoppen, 1999: 114). The "dominant preoccupation of the regime was self-definition against Britain - cultural and political. Other priorities were consciously demoted" (Foster, 1989: 16). This is an important point for this thesis, demonstrating the main pre-occupation of the Irish Free State as asserting its distinctiveness and independence from Britain. It supports the assessment that Free State immigration controls, if influenced by nationalism or nation-building, would have been unlikely to replicate those of Great Britain.

The new regime inherited its administrative system from the British. A Ministers and Secretaries Act of 1924 refined the existing structure, but the overwhelming majority of civil servants were retained: more than 98% of the old British administration in Ireland transferred to the service of the Irish Free State in April 1922. The new administration "revealed little in the way of creativity regarding the role of the civil service in a newly independent small state" (Hoppen, 1999: 190), thus providing "an essential element of continuity in the transition between British and Irish rule" (Jackson, 1999: 276). But, as Foster observes, given "British

proximity and Irish history, how far could 'independence' really be taken?" (Foster, 1989: 522).

There was a constant threat in the early years of political or military anarchy: "it was, after all, a post-revolutionary as well as a post-colonial state" (Foster, 1989: 524). In 1926 de Valera moved away from his uneasy alliance with the revolutionaries, and "convinced enough of his followers in Sinn Féin (as well as himself) that the time had come for a constitutional initiative: he founded a new party, Fianna Fáil, with the declared intention of entering the Dáil" (Foster, 1989: 525). The assassination of Kevin O'Higgins, the Cumann na nGaedheal Minister of Justice, in 1927 resulted in the government introducing more stringent regulations regarding political participation; the possibility of entering parliamentary politics without taking the Oath of Allegiance was narrowed; and so de Valera led his party into the Dáil and "consolidated the Free State by his effective sanction of its parliamentary politics" (English, 2003: 44).

This historical analysis provides the background to the development of the Aliens Act (1935). Free State Ireland was a newly emerging and developing state, with a close proximity (both geographical and institutional) to the former Imperial power. Politics within the Free State were sharply divided according to the factions of the traumatizing Civil War. Cumann na nGaedheal provided a constitutional, conservative, religious and uncharismatic leadership, dedicated to developing

operational independence for the Free State within the confines of the 1921 Treaty (and through its engagement with other Dominions in Commonwealth institutions succeeded in widening the scope of the Free State to determine its own future) (Foster, 1989; Jackson, 1999; Hoppen 1999; English 2003). Fianna Fáil, on the other hand, tapped an electoral core that was not yet reconciled to a partitioned Ireland, and was able to "reconstruct the political chemistry of Parnellism by combining nationalist fundamentalism with a carefully tailored social and economic appeal" (Jackson, 1999: 283). It – unlike Cumann na nGaedheal - "combined an element of politically inspired economic populism with a successful moral and ideological offensive" over a variety of fronts (Dunphy, 1995: 26). De Valera saw Fianna Fáil as more than a political party; for him it was as much "a revivication of the national movement, and ... the embodiment of the Irish nation" (English, 2003: 46).

As much as de Valera, Cumann na nGaedheal emphasized the importance of the Gaelic national tradition to the new state. "The Dáil and the Senate paid lip-service to ' traditional ' Irish forms; Irish cultural activities were aggressively proselytised; most of all, the prosecution of the Irish language became the necessary bench-mark of an independent ethos... Gaelicizing the new state was a preoccupation" (Foster, 1989: 518). This promotion of a "messianic cultural policy" combined with the recurrent centrality of religious considerations to help "reinforce the notion of a 'rural, agricultural and Catholic' Irish national community embedded in cultural traditions antithetical to those of international (and especially

British) 'modernity'" (Hoppen, 1999: 192; see also O'Callaghan 1984; Ó Cuiv 1966). Anglophobia remained an essential part of Irish nationalist politics.

The Morphogenetic Cycle: Identifying the Key Emergent Properties

Combining this analysis of the Free State political context at the beginning of the morphogenetic cycle with the reading of archival evidence and the analysis of immigration policies in Chapter One, the following structural emergent properties can be identified as relevant in the development of the Aliens Act, 1935. Each is briefly outlined in turn. Inevitably, they cannot really be disentangled from one another, and it will be seen that there are constant interrelations and cross-references between them.

An important influence on the development of immigration controls was the presence of prior immigration legislation in the territory of the Free State; specifically the 1914 Aliens Act and 1919 Aliens (Amendment Act), which were introduced while Ireland still formed a part of the United Kingdom. The existence of this legislation formed a template from which the new Aliens Act 1935 was constructed. The discussion above has demonstrated that the Free State maintained the previous civil service administration to a great extent in developing the new machinery of government. It is plausible therefore that these civil servants in developing and drawing up new immigration controls for the Free State

would have built on their previous experience and the legislative precedent.

Also influential was the presence of recently introduced individual immigration policies in other Dominions. As outlined in Chapter One, there had been a process of implementing immigration controls in these states, independent of those in place in the United Kingdom and wider Empire. This established a political precedent within the Commonwealth that the Free State government could look to and follow. The immigration controls introduced in the Dominions, unlike those of the United Kingdom, often created distinctions between citizens of the British Empire, and generally allowed free movement of citizens of Dominion states, while introducing restrictions on the movement of citizens from other non-white Commonwealth states. These immigration controls appear to have been designed mainly for domestic purposes, without significant reference to the regime existing in the United Kingdom. These controls served as a potential precedent for the Irish Free State.

The structural positioning of the Free State within the British Commonwealth of independent nations, and its relationship with the British Government further shaped how the Free State government could proceed in developing its own immigration controls. Of particular relevance here are the governance reforms that were introduced through the 1926 Westminster Declaration of the Commonwealth and the agreement reached at the 1930 Imperial Conference agreement, the

Statute of Westminster (1931). After the 1921 Treaty, the Irish Free State had domestic legislative powers similar to those of the Imperial Dominions of Canada, Australia, New Zealand and South Africa. It was permissible within the Commonwealth for the Free State to design particular immigration controls for its own domestic purposes, independent of Great Britain. The 1926 Westminster Declaration and the 1930 Imperial Conference established that Dominions in the Commonwealth had the authority to define their own domestic codes of citizenship and nationality, separate from the wider Imperial citizenship codes used by Great Britain in her nationality legislation. With specific regard to nationality and immigration issues, the Conclusions of the 1930 Imperial Conference formed proposals (introduced as the Statute of Westminster) for dealing with national legislation within individual Commonwealth states. These provided a framework for individual national citizenships within the Commonwealth context, stating "that it is for each Member of the Commonwealth to define for itself its own nationals, but that so far as possible, those nationals should be persons possessing the common status, though it is recognized that local conditions or other special circumstances may from time to time necessitate divergences from this general principle". (NAUK CAB/64/34: Appendix 5, Note on Nationality Question, Conclusions of the Imperial Conference of 1930: 3[15]).

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[15] Where archival sources are referenced, documents are referred to according to Archive, file number and then under their title heading, where one exists, or if references from a letter, by the date, sender and addressee. Some documents consulted had

As well as sharing a close political relationship with the UK and more generally with the British Commonwealth, the Irish Free State had strong and dependent economic links with Great Britain. The vast majority of Free State (particularly agricultural) exports went to Britain, and this economic dependency produced a political context in which the Free State government felt constrained to avoid a schism with Great Britain. In addition to the importance of maintaining the market for these economic exports, the Free State government had economic and political interests in enabling and maintaining the right for Free State citizens to enter Britain and other Dominions. Due to the economic downturn in the 1920s and 1930s, many free State citizens emigrated seeking employment in these states. The importance of maintaining the market for both economic export and human emigration from the Free State to these other states was, on balance, perhaps more important than introducing particular immigration restrictions to the Free State, given the low numbers of migrants coming to the country.

The geographical position of the Free State is also pertinent, as its closeness to Great Britain, and particularly its shared border with Northern Ireland, ensured that the British Government would take a definite interest in any alterations or developments to current immigration policy in the Free State, given the likelihood that aspiring immigrants

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neither of these features; these will be referred to by a title that has been designed to include as much detail as possible to enable easy reference for others.

would find relatively easy passage to Britain from the Free State, across the land border between its territory and Northern Ireland.

Additionally, the geopolitical structure of partition between Northern Ireland and the Irish Free State, and the claim of Free State politicians that Ireland and the Irish nation constituted all of the island, would have limited any actions that Free State politicians might have taken to impose immigration controls on citizens of Northern Ireland. This perhaps interacts with influences of Irish nationalist politics, discussed as cultural emergent properties below. The possibility of the Free State introducing immigration controls on its side of the partition, and the consequent implication that Northern Irish citizens were not citizens of the Free State, would have been political anathema – both to the majority of voters within the Free State, and indeed, to the majority of delegates to the Irish Parliament.

Finally, the international political structure of the late 1920s and early 1930s, in terms of Anglo-Irish[16] structures, Commonwealth structures, and more broadly European and wider political structures, would have been an influencing factor on the development of immigration policy. Within the European political context, the 1917 Russian revolution and the corresponding fear of Bolshevism, as well as the fact of the recent war, would have also contributed to make the respective security

[16] Anglo-Irish is used here to refer to relations between Britain and the Irish Free State.

interests of both the United Kingdom and the Free State more fearful of the arrival of 'strangers' in the territories.

So far, the chapter has identified a number of structural emergent properties relevant for the beginning of this morphogenetic cycle. First, the existing Immigration Acts, introduced when Ireland was part of the United Kingdom. Second, the precedent set by other Dominions through their introduction of particular immigration policies for their individual needs. Third, a key influence was the structural location of the Irish Free State within the Commonwealth of Nations, and the limitations this placed on the extent of independent action that a Free State Government could take. Fourth, the economic reliance of the Free State on British and Commonwealth markets for export, as well as the high emigration rate of Irish people to Britain and the Empire, is likely to have influenced the government's actions. Fifth, the geographical proximity of the Free State to Great Britain, and particularly the border with Northern Ireland, will have limited the government's ability to develop its own immigration controls, without reference to the system in neighbouring territories. Sixth, the political partition of the island of Ireland will have constrained the ability of the government to introduce immigration controls that might have applied to those born outside of the Free State (including Northern Ireland). Seventh and finally, the wider international political context was probably an influencing factor in terms of the levels of suspicion regarding strangers in the Free State.

Having identified the key structural emergent properties for the analysis of immigration controls, this section now describes the relevant cultural emergent properties. British-Irish political structures and geographical boundaries have both been established as significant structural emergent properties for this thesis. A related key cultural factor in the development of the Aliens Act (1935) was British-Irish political and social relations. This rather broad concept can be further categorised into a number of more useful and precisely defined factors for the purpose of this analysis: a) relationships between Great Britain and Irish Free State governments; b) relationships between the two populations and their respective governments; and c) relationships between the population of the Free State and the UK government, and between the UK population and the Free State government. These are key in shaping (constraining and enabling) the actions of officials and politicians both in Great Britain and the Free State in the development of the Aliens Act (1935).

The actions of both governments are analysed within the context of the intergovernmental relationship, and the relations between both governments and the two populations. Inevitably, governments' activities in their capacities as social agents are influenced by their need to both influence and satisfy the perceived demands and desires of their constituencies (although in outlining this objective of government activity, it is important to avoid treating governments and constituencies as simple homogeneous categories).

In addition to the general climate of tensions between the populations and governments of both the Irish Free State and the United Kingdom, the issue of attitudes within the Free State towards foreigners must also be taken into account, and more particularly, attitudes towards those regarded by the authorities as potential security threats, whether it be to national security, or to the ethnic security, of the Irish population. A general xenophobia appears to have been common in the Free State, with two of the more prominent groups in Irish political and cultural discourse in the early twentieth century were Jews and Communists. In the 1930s, both the Free State's government and general population were socially and politically conservative in comparison with the UK and other European countries of that time (Lee 1989; Jackson, 1999; Hoppen, 1999). Although an active member of the League of Nations, the Free State government used this membership more strategically as a mechanism through which the structural divisions between the UK and the Irish Free State could be emphasised and potentially widened, rather than as a basis to strengthen links with other states (Foster, 1989).

This general introspection and xenophobia is reflected in Irish nationalist politics and cultural nationalist movements. Fanning observes how the "the monocultural Irish society at the heart of theorising about Irish xenophobia is itself a social construct that emerged from a nineteenth century discourse of nation-building which represented nations as races" (Fanning, 2002: 19). Although Ireland had a generally homogenous population in terms of skin-colour, Fanning argues that through the

tradition of Irish missionaries abroad and the disproportionately high proportion of Irish employees in the British Army, British colonial services and even the Indian civil service (see Fanning, 2002: 14), there was a specific Irish experience and engagement with black and Asian societies through colonial structures. Throughout the nineteenth and twentieth centuries, Irish people, along with those of other European states imbibed a popular culture which "presented tales of colonial adventure and conquest alongside white supremacist beliefs about race" (Fanning, 2002: 14).

There was also significant anti-Semitism in Ireland in the early twentieth century. Although a low-level xenophobia appears to have been widespread, Jews (including Irish-born Jews) were a specific group frequently targeted for attack. Keogh's history of the Jewish community in Ireland notes that threats were made against the Jewish community in the early twentieth century by a number of trade unionists, and a number of violent attacks on Jews occurred (Keogh, 1998). In the political arena, although John Redmond and Michael Davitt both spoke in opposition of persecution of Jews and in defence of the Irish Jewish community, Arthur Griffith had anti-Semitic prejudices and allowed anti-Semitic articles to be published in his newspaper. Keogh notes that anti-semitism in Ireland was often linked to perceived economic issues; 'there is evidence that the Jewish 'foreigners' were sufficient in number to continue to cause resentment in working-class areas of Dublin, Cork, Belfast and Limerick' (Keogh, 1998: 54).

The Catholic Church in Ireland (at the time possibly the most influential institution in the state, Jackson 1999, Hoppen 1999) also harboured anti-Semites. Some popular Catholic journals and newspapers carried radical anti-Jewish articles. Keogh notes that,

> The *Irish Catholic*, the *Catholic Bulletin*, the *Irish Mind*, the *Irish Rosary*, and the *Cross* wrote often about the subversive influence of Moscow, linking Jews to the spread of communism in many articles and editorials. Two writers in particular, the Holy Ghost priest Denis Fahey and the Jesuit Edward Cahill, gave Herzog (Rabbi Herzog, chief Rabbi in Ireland in the 1920s and 1930s) cause for concern. Both depicted the Jew as being responsible for the moral corruption of western society and for the fomenting of world revolution.
>
> (Keogh, 1998: 92)

A further cultural influence on immigration controls was the development of an idea of an Irish 'race', which emerged following the Gaelic revival in the late nineteenth century. O'Mahony and Delanty note that the revival's "main cultural achievement was negatively, to define 'Irishness' as non-Englishness and, positively to create a new 'race project' that answered the psychological needs of the times for solidarity based on primordial and quasi-egalitarian feelings of collective identification before the nation" (O'Mahoney and Delanty, 2001: 79). O'Tuathaigh analyses how the incorporation of scientific racism in European nationalist ideas were also reflected in ideas of Irish national identity.

> In the nineteenth century religious 'proofs' of the legitimacy of racism and anti-Semitism were joined by "scientific" proofs of the biological inferiority of black people to white people and of the perniciousness of the Jews. Nineteenth-century racial

> discourses conceived of nations in terms of lineage and genealogy. Within these discourses the existence of a German race, or, indeed, an Irish race took on political and social reality. Irish nationalism emerged through a process of social closure which culminated in an ethnic religious formulation of Irishness.
>
> (O'Tuathaigh, 1991: 61)

The examples of immigration controls in other Dominions and the discussion in the theoretical literature suggest, through an emphasis on processes of exclusion, that nationalist-informed xenophobia might be anticipated as contributing to the shaping of immigration controls. After all, it is those defined as "other" at whom immigration policy is directed, to preserve the security of an internal national ethnic identity.

Irish republican nationalism is a further significant factor. Irish republicans were those leaders of the Irish nationalist tradition who opposed the constitutional nationalist politics as advocated by the Cumann na nGaedheal (and latterly also, the Fianna Fáil) government. Cumann na nGaedheal viewed the acceptance of the terms of the Treaty as a stepping stone to achieving the wider aim of a united Ireland independent of British governance; whereas republicans regarded the acceptance of the terms of the Treaty as a betrayal of Irish republican ideals, and did not regard any Irish state that was not fully independent from Britain, or occupying less than the full 32 counties of the island of Ireland, as a valid Irish Republic. Fianna Fáil, though primarily a constitutional party, had the closest links to this group. Seán Lemass, (later party leader) speaking in the Dáil (Irish Parliament) in 1928, described Fianna Fáil at that time as:

> a slightly constitutional party. We are open to the definition of a constitutional party, but before anything we are a Republican party. ... Our objective is to establish a Republican Government in Ireland. If that can be done by the present methods we have, we will be very pleased, but, if not, we would not confine ourselves to them.
>
> (Lemass, quoted in Coogan, 1993: 412)

The tensions for de Valera's government that arose from the necessity of maintaining their republican support, would have constrained his ability to introduce policies that were fundamentally unsatisfactory to this group. However, there would arguably have also been support from this hard-line nationalist group for immigration controls that were directed towards protecting or building the Irish nation.

The key cultural emergent properties identified as influential on the development of Free State immigration controls therefore include first, the relationship between Britain and Ireland. Second, the levels of xenophobia and anti-semitism in Ireland, which would have pushed towards a more, rather than less restrictive model of immigration controls. Third, and similarly, the concept of an Irish 'race' suggests that an introduction of immigration controls to protect the nation and 'race' from outsiders would not been in opposition to cultural norms. Fourth, the tenets of Irish republican nationalism and its specific emphasis on the importance of an independent and united Ireland would have presented a challenge for a government trying to implement immigration controls on the Northern Irish (British) population. Thus far, the significant cultural and structural emergent properties that establish the context for this

morphogenetic cycle have been outlined. The next step is to engage with and analyse the nature of agency's interaction with this structural and cultural context.

Structural and cultural emergent properties do not themselves act. They have no independent causal powers from the social agents and actors who inhabit the social world and who mediate their influences through agency. According to the morphogenetic framework, agency is divided between corporate and primary agents, and individual actors (Archer, 1995). Fianna Fáil, and Irish republican nationalists were key corporate agents for this historical process. As the political party in government in the Irish Free State, and representing the republican nationalist side in the Civil War, Fianna Fáil was attached to distinct beliefs about Irish nationalism and Irish unity that would play an important role in both Anglo-Irish relations and the development of Free State immigration controls.

Another important corporate agent was the British government. With an interest not only in maintaining the Irish Free state within the Commonwealth, but also in maintaining wider Commonwealth harmony and membership of other states, the British government responded to many of the Irish Free State's actions with this wider context in mind. The impact of Free State actions on the operation of wider Commonwealth governance, and the traditional interest of the British government in

maintaining its role in Irish affairs also influenced how the Free State government pursued its aim of greater independence.

The key primary agents for this cycle are first, the Irish population as a whole, whose presence influenced the actions of the politicians and civil servants involved in the drafting of the legislation. Politicians require a public electorate: the support of this public is necessary for political validation and survival. Most actions undertaken by politicians will, in some way, take into account the need to maintain public approval in the immediate or long-term. The desires and opinions of the population of the Free State as perceived by Free State politicians thus had a key influencing potential on the actions of these politicians in the development of immigration policy.

Other important primary agents for this thesis are Irish emigrants to Great Britain and the Commonwealth, who were able to travel within the Empire (including Northern Ireland) without immigration restrictions. Perhaps surprisingly, given the topic of this thesis, the absence of significant numbers of immigrants into the Free State means that this group were not significant primary agents.

The key social actor involved in the morphogenetic cycle within this study, and whose actions were perhaps most influential in the development of the immigration controls, is Eamon de Valera who was President of the Executive Council of the Free State (similar to Prime Minster) from 1932,

and responsible for the introduction of the Aliens Bill in 1934. He was the driving force in the Fianna Fáil government, and much of the legislative drive in the 1930s Free State was grounded in his vision of an Irish state exerting independence in domestic matters, and working within the structures of the Commonwealth on external affairs (reflecting the proposal "Document No.2" he put forward as an alternative to the 1921 Treaty).

The key agential emergent properties identified for this morphogenetic cycle are, first, the Fianna Fáil party, and Irish republican nationalists as corporate agents. The British government was also a significant corporate agent. Third, the Irish population was important as a primary agent, indirectly influencing the actions of the Free State government. Fourth, the significant numbers of Irish emigrants to Britain and the Empire similarly influenced the actions of the Free State government as primary agents. Finally, de Valera is the pre-eminent social actor for this particular morphogenetic cycle, leading the Free State government in its bid for greater independence from Britain, and shaping and determining Anglo-Irish relations to a great extent.

Conclusion

This chapter has been concerned with establishing the context for the development of Free State immigration controls, setting out the relevant structural, cultural and agential emergent properties for the beginning (T_1) of this morphogenetic cycle. The political context is formed of a newly

emerging state, sharply divided due to nationalist disputes about the relationship of the Free State with the British government. Successive Free State governments were tentatively establishing (and testing) the boundaries of their independence. The cultural climate of the Free State was conservative, religious, Anglo-phobic and introspective, focussing on the Gaelicization and promotion of Irish identity inside the new state.

In 1932 Cumann na nGaedheal lost the election to Fianna Fáil. With the change of government came a change "not merely of party, but also of style and of substance. The workaday offerings and aspirations of Cumann na nGaedheal were dispelled, to be replaced by the republican mystique of Fianna Fáil and the quirky charisma of its leader, Eamon de Valera" (Jackson, 1999: 288). The anti-Treaty agenda was central to the new Government, which during the 1930s systematically set about dismantling the Treaty and the 1922 Constitution, "re-excavating the idea of external association, which had been buried since the civil war" (Jackson, 1999: 295). This provides the background context for the following chapter, which describes the social action that led to the development of the Free State immigration controls.

Analysis of the documentary evidence presented in Chapters Six and Seven involved qualitative grouping of references to the Aliens Act around emerging themes. Nine key factors were thus identified as particularly influential to the scope of the 1935 Aliens Act. The next chapter deals with the first four of these thematic influences, which

concern the original motivations for introducing new aliens legislation in the Irish Free State, and the immediate structural constraints within which the Irish politicians had to operate in developing these Bills. Each of these is addressed in turn, and the chapter demonstrates through reference to the documentary evidence how they influenced and shaped the process of developing the new Free State immigration controls.

Chapter Six: The Development of Free State Immigration Control; Challenge and Change (I)

Introduction

Thus far, the political and cultural context at the time of the 1935 Aliens Act has been described. This and the following chapter set out the efforts of Irish politicians and the British government to arrive at a form of immigration control in the Free State that met their respective objectives, and that led to the introduction of the Act. The aim is to assess why objectives of protecting the Irish nation from outsiders were not the key factor in the development of Free State immigration controls. In so doing, the relevance of different structural and cultural properties to this process are highlighted, with a view to identifying those most influential in the shaping of the immigration controls.

This chapter discusses the practical issues involved in developing the immigration controls. These were of two types: the perceived political and legislative need for regulations on immigration to the national territory, and the practical constraints (and enablements) on independent action that emanated from the Free State's political ties with Britain and the Commonwealth. The first is inextricably caught up with the impetus for Irish independence, and the political impulse for the Free State as a newly independent nation to define its own citizenship and immigration policies. The second describes the limitations within which Free State politicians had to work, to manage this drive for independence and

markedly 'Irish' immigration controls, within the geo-political structures of the Free State's Dominion status and the Commonwealth.

The Motivation for new Aliens Legislation

From the time he took the post of President of the Free State Executive Council in 1932, Eamon de Valera began to reconstitute the political status of the Free State, and to a degree, its territorial boundaries (through re-gaining control of the so-called Treaty ports - ports in the Free State territory where the British navy maintained a strategic base under the terms of the 1921 Treaty). Additionally, de Valera initiated, and later settled in the Anglo Irish Trade Agreement of 1938 (and to his favour, as is generally agreed: see for example, McMahon 1984; Foster, 1989; Jackson, 1999; Hoppen, 1999; Ferriter, 2007), a dispute with the British government regarding coal and cattle import and export tariffs ('economic war'). De Valera moved the Free State closer to his longstanding objective of external association with the British Commonwealth than many could have considered possible under the terms of the 1921 Treaty (Mansergh, 1997), and created what was arguably a *de facto* "republic in all but name" (Hoppen, 1999: 200), whose governance connections to Great Britain and the Commonwealth were limited to matters of external relations. In this context of constitutional and legislative change, a change in the structure of Irish immigration policy was perhaps a relatively minor issue within the complex and tense British-Irish political relations of the 1930s.

Legislation providing for immigration controls pre-existed the administrative and legislative framework under the new (1922) constitution for the Free State, introduced according to the terms of the 1921 Anglo-Irish Treaty. This pre-existing legislation was a consequence of Ireland's previous geo-political location as part of the United Kingdom. Migration rates into the Free State were relatively low in the first half of the twentieth century (T_1 period), and the majority of immigrants came from Britain, the Dominions, or the United States. The 1946 census recorded 65,000 people born outside the island of Ireland resident in the Free State. Of these, a significant majority (49,000) were born in Britain. Between 1924 and 1950, just over 51,000 immigrants came to Ireland, of whom nearly half came from the United States, a further 7,000 from Australia and Canada, and just under 10,000 from other states (Commission on Emigration and other Social Problems, 1956). In all likelihood, a significant proportion of these immigrants would have been immigrants of Irish descent, returning to the country from where previous generations of their families had emigrated.

In 1935, de Valera's government implemented the first immigration Act developed by an independent Irish Free State government. Given the Free State's close proximity to Britain, its shared border with Northern Ireland, as well as Free State membership of the Commonwealth with the British King as head of state, a new regime of immigration controls could have caused potential unease for the British Government. However, the overall content and thrust of the legislation generally replicated the

content of the UK 1914 and 1919 Aliens (Amendment) Acts previously in operation in Free State territory. Given the prior existence of these immigration controls that were therefore clearly acceptable to the Free State government, why was new legislation introduced, if its content replicated the existing status quo? What was the purpose of these immigration controls? What explains their similarity to existing British immigration controls? These questions are explored in this chapter, through a thematic categorisation of the documentary evidence, which identifies nine main factors as influential on the development of the 1935 Aliens Act. Each is consecutively discussed and explained below. The concluding chapter reviews this analysis in the light of the conceptualisation of the research problem, as set out in Chapter One and discusses further how this analysis adds to the existing literature on immigration controls.

The Aliens Bill was introduced to the Free State Parliament (Dáil) in 1934. Despite the relatively low rate of migration into the Irish Free State, immigration was conceptualised by policy makers (and probably by politicians) as being problematic, and as an issue that needed addressing through legislation. A Department of External Affairs[17] written response to a proposed amendment to the Aliens Bill by a Free State senator demonstrates some lines of thought within External Affairs, which used

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[17] External Affairs was the Free State Government Department responsible for relations with Great Britain, the Commonwealth, and other nations. Eamon de Valera was Minister for External Affairs 1932-37.

unemployment rates in the Free State as a rationale for requiring an immigration policy. In a comment on a proposed amendment to the Aliens Bill, which would have prevented blanket restrictions on the entry of aliens except in times of a national emergency, a Department of External Affairs official noted the following:

> If this sub-section were inserted, the Bill would be useless in peace time. We could not prevent aliens from entering the country and taking the bread out of the mouths of Irish workers. We could not make an aliens order in respect of every alien individually. This may be what the Senator wants, but in practice, it would be impossible.
>
> NAI DFA 2/631

This comment reflects a fear that the arrival of immigrants in the Irish Free State could result in a narrowing of job opportunities for the Free State workforce. Although this comment is made in reference to a proposed amendment to the Bill, and not in relation to the initial drafting of the Bill itself, it is unlikely that these beliefs were isolated to this single civil servant, or indeed, within the Department of External Affairs. For example, in a memorandum written to the Department for External Affairs from the Department of Industry and Commerce three years later in 1937, the following was noted:

> Owing to the number of persons unemployed in this country, it is desired that there should be no relaxation of the existing arrangements for the control of aliens entering Saorstát Éireann for employment. It is not proposed to promote legislation for the purpose of altering this position.
>
> NAI DFA 243/67: Memorandum 22 May 1937

The existence of these convictions in the minds of the civil servants responsible for advising politicians and drafting the Aliens legislation suggests a perceived 'need' for an immigration policy (independent of actual immigration or unemployment rates). The evidence does not indicate whether these beliefs were held by politicians themselves, but references to these in policy briefings and memoranda implies that at the very least, they were considered in the development of Free State immigration policy.

Two letters, the first from John J Hearne, legal advisor to the Department of External Affairs[18], dated 29th December 1934 to the Parliamentary Draftsman (Letter *A* below), and the second from the Secretary of the Department of Justice, dated 9th February 1935 to Hearne (Letter *B* below), raise similar points. Letter *A* refers to a policy initiative proposed by the Department of Industry and Commerce, requiring that aliens' capacity to enter into business or employment in the Free State be limited. Letter *B* alludes to the apparent rationale behind this proposal; that to allow aliens unlimited access to the economy and job market in the Free State would damage the interests of both Free State businesses and workers.

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[18] As legal advisor to the Department for External Affairs, Hearne was responsible for drafting a range of legislative initiatives proposed by de Valera to further establish Irish independence in domestic affairs, culminating in his drafting of the 1937 Constitution.

Letter (a)
That Department [of Industry and Commerce] desire, however, that power be taken to impose further conditions by Order, namely
(a) a condition that an alien shall not enter into business in Saorstát Éireann except under permission granted by the Minister for Justice after consultation with the Minister for Industry and Commerce and
(b) a condition that an alien shall not enter the employment of any subsequent employer without a permit issued to such employer by the Ministry for Industry and Commerce.

Letter (b) (page 2)
Aliens are not allowed to take up employment or to enter into business in Saorstát Éireann unless the Department of Industry and Commerce is satisfied that their presence in this country will not be detrimental to the interests of nationals.

NAI DFA 2/631

This evidence indicates that immigration to the Free State, no matter how small, was seen by some as a potential threat to the economic and material interests of Free State nationals. Immigration controls were therefore seen as necessary for protection of the economic interests of the national population. However, these documents do not reveal evidence of an objective to protect what might have been regarded as national ethnic interests. The question is not necessarily why immigration controls were therefore desired; but, given the pre-existence of an Act that appeared to 'work', and that could be successfully implemented to achieve this aim of restricting entry to the state's territory, why was a new immigration policy required?

The documentary evidence suggests that the adoption of an immigration policy that was wholly Irish was seen as one of the stepping stones on

the path to achieving independent statehood and sovereignty. An extract from a speech made by de Valera in the Houses of the Oireachtas[19], on the second reading of the 1934 Aliens Bill illustrates this point:

> It is manifestly more appropriate, on general grounds of constitutional and administrative policy, to place on the Statute Book of the Oireachtas a separate statute providing for the control of aliens. It is a trite legal proposition that any community is entitled to determine by its Parliament the persons by whom the community is to be composed; and that any community is also entitled to lay down the terms and conditions on which persons who are not of its own body may enter or reside upon its territory.
>
> NAI DFA 2/631

De Valera here endorsed a general nationalist sentiment (as opposed to a specifically Irish nationalist belief) that an immigration policy is part of the regular administrative package of nation states. Regardless of the question of a practical need for a policy to exclude migrants from Irish Free State territory with so few migrants seeking to enter, the nationalist ideal of nation statehood was adopted (publicly at least) by a key social actor to justify the introduction of an immigration policy for the Free State.

A similar attitude can be found during Dáil debates on the Nationality and Citizenship Bill, where de Valera proclaimed the importance of this legislation as being:

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[19] The Houses of the Oireachtas are the Irish Houses of Parliament, comprising Dáil Éireann, the first chamber where the elected TDs (Teachta Dála) sit, and An Seanad, the Senate and second chamber.

> The first time in history in which an Irish Parliament is called upon to enact a code of law regulating Irish nationality throughout the world. The particular Bill with which we are now dealing – the Nationality Bill – will stand side by side with whatever Constitution we ultimately adopt as the legal basis and interior of the status of the members of this body politic, the citizens of our country, in whom, under the authority of God, the right to rule resides ... the impressive need for a measure of this kind, defining our nationals for purposes of international law and relations.
>
> NAI DFA 2/631

The decision to incorporate immigration controls as part of the new constitutional and legislative package that de Valera envisaged for the Free State appears, then, to have been influenced by a belief that to permit the entry of outsiders would *de facto* result in a threat to the business and employment prospects of those within the community; and also, by a general nationalist ideal, that a nation would desire to and should, as a matter of course, introduce a policy that would limit the rights of those outside its territory to enter. As a nation state, the Irish Free State was entitled to decide who could and could not enter its territory. Again, the principle of immigration controls is seen as important. What is not yet addressed is the structure or design of these immigration controls – *who* should be permitted entry to the national territory?

The Aliens Act 1935 was not brought into being as a single-standing piece of legislation. In 1934 the Nationality and Citizenship Bill was introduced to the Irish parliament by the Fianna Fáil government (although, and as with the Aliens Bill, the initial drafting of this legislation had begun under the direction of Kevin O'Higgins and the Cumann na

nGaedheal government in the mid-1920s). The government recognised that the new status of Free State citizenship introduced by the Nationality and Citizenship Bill would require a corresponding change in Free State immigration policy. The previous immigration legislation (1914 and 1919 (Amendment) Acts) had been based on a concept of aliens defined against subjecthood of the British Empire, and not against Irish Free State citizenship. De Valera's government's primary reason (as publicly stated) for introducing the new immigration legislation was to update the immigration controls to conform to the new citizenship categories. This was explicitly referred to by de Valera in the Dáil debates on the second stage of the 1934 Aliens Bill.

> It [Aliens Bill, 1934] is a Bill to provide for the control of aliens and for other matters relating to aliens. Deputies will appreciate that a measure of this kind is necessary as a corollary of the Irish Nationality and Citizenship Bill. Section 2 of the present Bill indicates the connection between the present Bill and nationality law generally. It defines an alien as a person who is not a citizen of Saorstát Éireann. It will be clear that once we got down to the question of nationality and a code of nationality law, it would be necessary, at the same time, to deal with the question as to the position of aliens.
> The British statutes heretofore acted upon ... will not fit the new situation: the definition of the word 'alien' on which those British statutes are based is that contained in the British Nationality and Status of Aliens Act, 1914, and does not serve to define non-citizens from citizens of Saorstát Éireann.
> NAI DFA 2/631

This argument was also made by officials from the Department of External Affairs in an Explanatory Memorandum on the Bill for other Irish Free State Departments, dated 29th November 1934. The use of this line of reasoning within Government affirms that de Valera's point (which

would have also scored political capital, highlighting Irish independence from the British) was not simply political posturing, and that this requirement was a practical reason for the introduction of the Aliens Bill, 1934. In the Memorandum, the basis for the introduction of the Aliens Bill is described thus:

> 1. A statute to provide for the control of aliens is necessary in consequence of the new statutory definition of citizens of Saorstát Éireann in the Citizenship Bill 1934 now before Dáil Éireann. The purpose of the Aliens Bill will be:
>   a) to re-define the word 'alien' in the light of the Citizenship Bill 1934
>   b) to declare the rights of aliens in relation to property in this country and their amenability to the law of this country
>   c) to make provision for the making of statutory orders relating to the control of aliens, and
>   d) to impose restrictions upon a change of name by aliens
>
> NAI DFA 2/631

The introduction of immigration legislation in the 1930s Free State was motivated, it would appear, neither by an increase in inward migration, nor a surge in a xenophobic nationalist sentiment demanding limits on immigrants entering the country. Indeed, far from being a particular response to 1930s circumstances, Daly observes that "although the 1935 Irish Nationality and Citizenship Act and the associated Aliens Act were introduced by a Fianna Fáil government, they reflect their origins in the era of Kevin O'Higgins and Patrick McGilligan" (Daly, 2001: 384).

These Cumann na nGaedheal politicians raised the requirement for new citizenship and aliens legislation in the late 1920s. The possibility of

individual national codes of citizenship was broached by Irish Free State representatives to the 1929 Commonwealth Conference, and supported by other Dominions. A 1934 British Government minute to JH Thomas, then Secretary of State for Dominions Affairs[20] on the "Proposed Nationality legislation in the Irish Free State" noted that, "Article 3 of the IFS Constitution contemplates IFS legislation to regulate the future acquisition of Free State citizenship. Therefore it was to be expected that an IFS nationality Bill would be introduced sooner or later" (NAUK DO 35/112/1, ISC 32(85) 7th July, 1934: 4). This attitude is further confirmed in the conclusions of the British Government's Irish Situation Committee[21] (ISC) of July 8th 1934, when the Attorney General's advice to the Committee was that, "one difficulty about the position was that Article 3 of the Irish Free State Constitution expressly provided that the conditions governing the future acquisition and termination of citizenship in the Irish Free State should be determined by law" (NAUK DO 35/112/1/ISC 8th July, 1934: 2).

A despatch from the Free State Government to the Dominions Office in 1934, which gave advance information of the introduction of the Nationality and Citizenship Bill to the British Government, stated that, "the position with regard to Irish nationals under Article 3 of the Constitution is

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[20] J.H. Thomas was Secretary of State for Dominion Affairs from 1930-1935, and Secretary of State for the Colonies from 1935-36.
[21] The Irish Situation Committee was a British Government Cabinet Committee convened to discuss issues relating to British-Irish Free State relations in the wake of de Valera coming to power.

legally unsatisfactory, and the necessity for an appropriate code of Irish nationality law has long been felt" (NAUK DO 35/112/1, Despatch from Irish Free State, Dept of External Affairs, 6th February 1934, despatch no. 1 to Sec of State for Dominion Affairs: 1). The rhetoric surrounding the introduction of the Nationality and Citizenship Bill was couched in nationalist terms. However, in proposing the 1934 Aliens Bill, rather than responding to the convictions of Irish nationalist sentiment, the Free State Government seems instead to have been addressing an administrative practicality. The primary driver for the introduction of this piece of immigration policy was the need to replace the previous immigration legislation with an Act that would correlate with the new citizenship categorizations brought into existence by the new Nationality Act, rather than restricting or limiting the numbers and categories of people allowed entry to the national territory. The introduction of the new citizenship legislation was itself an inevitability following the agreement of the 1921 Treaty, which had outlined conditions in which revised citizenship legislation would be implemented in the Irish Free State. This *realpolitik* approach to the introduction of immigration legislation was acknowledged by de Valera in a Dáil debate. Addressing the House, he referred to his:

> definite conviction, formed after the fullest examination, that we have been able to make of the whole question of nationality and the status of aliens...
> The object is not primarily a political object but is primarily the designing and assembling of a sound, workmanlike and workable piece of administrative machinery...
> [In deciding on the most appropriate way forward ... the Minister proposing the legislation] chooses the course, which, in balance of probabilities appears to him, on the facts and

> circumstances of the case as a whole, to be the safer course to take.
>
> NAI DFA 2/631

Notwithstanding allusions to the status of Irish nationhood in parliament and public, there is little evidence to demonstrate that the drafting of the 1935 Aliens Act was used as an opportunity to enshrine in legislation an Irish nationalist vision of inclusion and exclusion within an Irish nation. Rather, whilst avowing a general nationalist sentiment that every nation state has a consequent right to decide who enters and who remains an outsider, the government adopted a practical and pragmatic approach in developing this legislation. Following the arguments put forward publicly, as a nation state (albeit one whose nation claimed more territory than was contained within the state), the Irish Free State should and would have immigration controls. However, no further reference was made to nationalist ideals as regards the actual *formation* of these controls. New immigration controls would, by their existence alone, assert the independence of the Free State to some extent; the existence of a regime, rather than its specific content, seems to have been the key point at issue.

Legislative and Governance Structures

Although motivated by objectives of Irish independence from British governance, the Fianna Fáil government acted fully within the parameters established by the Commonwealth in the Statute of Westminster (1931) when introducing the Nationality and Aliens Bills in 1934. By thus

reaffirming the legitimacy of his government's actions within existing British legislative guidelines, de Valera was careful to protect the relationship of the Free State both with the United Kingdom and with the wider Commonwealth of Nations. Indeed, this emphasis and use of the tools of the British establishment to assert Free State independence from the United Kingdom was not limited to the single sphere of nationality and immigration legislation. O'Halpin observes that,

> De Valera pursued his aims through judicious exploitation of the provisions of the treaty, the conventions of commonwealth relations, and the protectionist convulsions of the international economy, The crown jewels of empire – the oath of allegiance, appeal to the Privy Council, the office of governor-general, and ultimately the position of the British monarch in Irish affairs – were prised out of the 1921 settlement through dexterous use of the instrument manufactured to enshrine them, the Free State Constitution.
> (O'Halpin, 1999: 129)

In establishing the separateness and independence of the Free State, then, de Valera did not simply do as he wished. He acted within the existing legislative and regulatory structure, albeit one that was established initially through an imperial relationship and the 1921 Treaty, both of which he opposed. The Free State inherited from its relationship with Great Britain a constitutional and legislative structure that both constrained and enabled the policy and legislative actions taken by Free State governments. A push for further independence was, as recognised by De Valera's government, likely to meet with strong opposition from both the government and the population of the United Kingdom. Although the latitude negotiated by Cumann na nGaedheal in the lead up to the

1931 Statute of Westminster meant that "the Irish could whittle away the link with the Crown because no one knew where the breaking point lay" (Ward, 1998: 233), the structural position of the Free State within the British Empire thus shaped the development of the Aliens Act.

Another influence on the resemblance of Free State immigration legislation to British immigration legislation was arguably the make-up of the Free State civil service, most of whose senior personnel remained in office after independence from the United Kingdom, albeit with the introduction of some nationalist officials from the first Dáil Éireann administration (Fanning, 1978; Jackson, 1999; Hoppen 1999; Maguire, 2008), through the first Cosgrave administration, and into de Valera's government. After the first elections to the new Free State parliament, a British civil servant, CJ Grigg, was loaned to Cosgrave by the British Board of Inland Revenue to set up the new Irish civil service (Fanning, 1978; Maguire, 2008). The system and structures of the new Free State's administration owed less to that established under the First Dáil of 1919 than to the status quo under the Union, "creating from 1924 a recognisable hierarchy" (Foster, 1989: 522). Joseph Brennan, a senior civil servant in Dublin at the time of the handover of power in 1922, later wrote that "broadly speaking [there was] no immediate disturbance of any fundamental kind in the daily work of the average Civil Servant. Under changed masters the main tasks of administration continued to be performed by the same staffs on the same general line of organisation and procedure" (Maguire, 2008: 1). Significantly, the parliamentary

draftsmen that were in office while Ireland was still part of the United Kingdom in the late 1910s were still in position under de Valera's government in the early 1930s (McMahon, 1984; Lee, 1989).

As noted, the tradition in which the civil service and those responsible for the shaping and drafting of Free State legislation operated was very much unchanged from the time of Ireland's period of membership of the United Kingdom. For many republican politicians, civil servants were to be mistrusted, and "were castigated as Cosgrave's lackeys – or worse, British agents. It was a view shared by sections of the Fianna Fáil party also. But... it soon became apparent that [de Valera] had no intention of jeopardising the administrative stability of his new government by embarking on wholesale purges of the civil service" (McMahon, 1984: 23). The continuity in the administration of government in the Irish Free State, from the Dublin Castle administration under the British, to the first Free State government under Cosgrave, and latterly de Valera, is perhaps another reason as to why the framework of the Aliens Bill was so similar to the pre-existing British legislation.

De Valera's government drew not only on the existing governance structures, but also the existing British legislation when designing the new immigration policy. The similarities between the UK and Irish legislation is demonstrated by a letter of May 26th, 1934, written to Conor Maguire, the

Free State Attorney General[22], from the Parliamentary Draftsman concerning the drafting of the 1934 Aliens Bill, in which the Draftsman comments;

> This Bill and the said Citizenship Bill together contain the legislation for which instructions were given by the said Minister [External Affairs] under the general title of Nationality Bill...The British enactments on which the instructions for those [change of name] provisions were based...
>
> NAI DFA 2/631

In reference to the development of the Nationality and Citizenship Act 1935, Daly (2001) notes that:

> In an effort to placate Britain, the clauses which determined eligibility for Irish citizenship were closely modelled on those in the corresponding British legislation...Consequently the clause which defined natural-born citizens was identical to section 1 of the 1914 Nationality and Status of Aliens Act.
>
> (Daly, 2001: 385)

To a significant extent, the 1935 Aliens Act was shaped by the existing political structures of both the Commonwealth and the Irish Free State administrative structure, as well as the pre-existing British Aliens legislation. Despite the Free State's status as a new Dominion state, and despite the emphasis on nationalistic independence by Fianna Fáil

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[22] Conor Maguire TD was Attorney General of the Free State from 1932-26; a High Court Judge from 1936-46, and Chief Justice from 1946-61.

politicians, the historical relationship with Britain influenced and limited (perhaps inevitably) the extent to which the Free State could forge new paths in developing and implementing legislation.

The introduction of the 1934 Aliens Bill caused some disquiet in the Free State Senate, with Senators concerned that the introduction of the new Aliens legislation could not be done within the existing Commonwealth structures. The Free State Government though, was acting within the regulations of the Statute of Westminster, 1931, which gave effect to the resolutions of the 1930 Imperial Conference. Mansergh likens the Statute of Westminster to the pulling asunder of what remained of the old colonial Empire (Mansergh, 1997: 99). Its important provisions were firstly, that no law made by the Parliament of a Dominion should be inoperative on the grounds that it was unacceptable to British law, and that Dominions would have the right to repeal British law that was incompatible with such new legislation. Secondly, that a Dominion would have full power to make laws having extraterritorial operation. And thirdly, that no future Act of Parliament of the United Kingdom would extend to a Dominion unless it was expressly declared in that Act that the Dominion had consented to its enactment. A Privy Council ruling in 1935 decreed that the Statute removed "the fetter that lay upon the Irish Free State legislature and that accordingly the Oireachtas had become free to pass legislation repugnant to imperial legislation" (Mansergh, 1997: 113).

De Valera drew upon the Statute's provision for the Free State to shed the shackles of unwanted British legislation, to defend the introduction of the Aliens Bill.

> Turn to paragraph 77. It is as follows: - "under the new position, if any changes is made in the requirements established by the existing legislations, reciprocal action will be necessary to attain this same recognition the importance of which is manifest in view of the desirability of facilitating freedom of intercourse and the mutual granting of privileges among the different parts of the Commonwealth"...
> I ask the Senators to show me, first of all, where the requirements of Saorstát Éireann under this Bill differ from those in the other States, differ even from those contained in the British Act of 1914. Are not the requirements contained in that statute the same as in this? Have we not here the same principles of the jus soli and jus sanguinis?
>
> NAI DFA 2/631

Although by introducing a new immigration act, de Valera was clearly marking his territory and establishing the Free State as an independent entity within the Commonwealth, with regard to the specific content of this act he maintained the principles and regulations of UK immigration policy. Moreover, and notwithstanding that, the Bill had been an object of Free State Governments since the mid-1920s, whose introduction was "delayed by efforts to reach an accommodation within the Commonwealth, though this was concealed from the Irish public" (Daly, 2001: 384).

Perhaps to smooth over the potential difficulties in the relationship with the United Kingdom, de Valera was keen to emphasise that the introduction of the new nationality and citizenship clauses would, in his

opinion, not damage the structure of the Commonwealth, but actually cement it further. Although a nationalist, de Valera viewed the Commonwealth as beneficial and useful for the Irish Free State; his original concept of external association as proposed in his 1921 Document No.2 envisaged the Irish Free State as being actively involved in the Commonwealth of Nations. For this reason, the importance of maintaining a system of reciprocity with other members of the Commonwealth was referenced in the debates on the Aliens Bill. De Valera publicly asserted the primary importance of ensuring that the relationship between members of the Commonwealth was sustained.

> If we believe that there is any substance in the fraternity of the members of the Commonwealth in the principle of international co-operation as the instrument of their relationships with each other, then so long as we remain members let us stand on the principle of reciprocity in this important matter of the treatment of nationals.[23]
>
> NAI DFA 2/631

Although de Valera's activity in the 1930s appears to have been aimed at establishing Republican status for the Free State, he saw this as being feasible within the structure of Commonwealth relations, as demonstrated by Document No. 2, his alternative proposition to the 1922 Treaty (Jackson, 1999; McMahon 1984; Ferriter, 2007). His views on the Commonwealth as discussed with Peters, the UK Trade Commissioner in

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[23] This argument is logical, but it does not explain why an Irish government would have maintained such ties of reciprocity when Dominions such as New Zealand, Canada and Australia did not.

Dublin are outlined in the Commissioner's letter to Harry Batterbee, Assistant Under-Secretary of the Dominions Office[24], at the time of the bill for the abolition of the Oath.

> We must recognize what Mr de Valera is doing. At the very moment when he is taking steps to abolish the Oath which constitutes the link with the British Commonwealth of Nations he is in the new Irish Free State customs duties making provision for Imperial preference. This seemingly illogical action is really the logical development of his view that the abolition of the political tie will make it possible for other ties to become friendlier and stronger.
>
> NAUK DO/35/397/1: memo attached to letter from Peters to Batterbee: 3

The Free State government, although constrained to some extent by the desire to maintain the material benefits resulting from friendly relations with the Commonwealth, was able to act relatively freely within the structures of the Commonwealth and to introduce internal legislation as desired domestically. This was pointed out to the Free State government and de Valera by both the British administration and by other Commonwealth members. The British government was careful to cite the freedom of the Irish Free State within the Commonwealth, perhaps to demonstrate to the international community that the Free State was under little duress from the UK in conducting its own affairs. In a despatch to the Irish Free State government, the British commented that "the free intercourse on equal terms with the other members of the British

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[24] Harry Batterbee was Assistant Under-Secretary of the Dominions Office from 1930-38.

Commonwealth which the Irish Free State have enjoyed under the Treaty Settlement, culminating in the Statute of Westminster, is the surest proof of their freedom to work out their own destiny within the Commonwealth" (CAB 64/34: Appendix 1 to ISC report July 1935 by Dominions Office, Reply of British Government on 5th December to IFS despatch 29th Nov: 3). This formal briefing (which could potentially be put in the public domain, and therefore had to be carefully drafted) could possibly have been a strategic communiqué, rather than reflecting the reality of how the British Government viewed the relationship between the two states.

The first government of the Free State had initiated the process of establishing political and legal independence from the UK. This process shaped the political context into which de Valera's government entered when taking office. Although de Valera had campaigned against Cumann na nGaedheal in the 1931 election partly on the basis that they were a pro-British party, Harkness comments that Cosgrave and his colleagues had "worked unremittingly to remove from Irish affairs any form of interference by the British Government. This work was seen to be effective, and de Valera carried it on to a conclusion.

In a Memorandum circulated by the Free State delegation at the Commonwealth Conference 1930, the pragmatic approach adopted by the Cumann na nGaedheal government is evident. The capacity within existing Commonwealth regulations to create new nationality and immigration policies within Commonwealth states is clearly explained.

> It is pointed out in paragraph 76 of the Report of 1929 that a common status recognised throughout the Commonwealth of Nations has been given statutory basis through the operation of the British Nationality and Status of Aliens Act, 1914...
> It is also stated in that Report that if any change is made in the requirements established by the existing legislation reciprocal action will be necessary to attain this same recognition...
> The Irish delegation wish to point out that what they propose in this connection is some reciprocal arrangement whereby a natural-born Irish national, a natural-born Canadian national, a natural born South African national etc. will have the same statutes throughout the Commonwealth as a person heretofore covered by section 1 of the Act of 1914...
> The several groups of persons to be covered by the several statues of the Parliaments of the Commonwealth would in fact be the whole group covered by section 1 of the Act of 1914.
>
> NAI DFA 2/631

To the civil servant of the Department of External Affairs there was no dramatic break in 1932. Work proceeded in a straight line until December 1936 when External Association became a reality" (Harkness, 1969: 259).

Conclusion

No shock or surprise tactics were used in pushing ahead with the Nationality and Aliens legislation. Far from acting rebelliously and flouting existing regulations, the Free State government was careful to clearly lay out to the British government and wider Commonwealth its proposed course of action with regard to domestic citizenship and aliens legislation, and also to establish that the rationale by which they claimed this new departure would abide by Commonwealth agreements.

This chapter has discussed the practical circumstances in which the 1932 Free State government introduced the Aliens Bill. The purpose for introducing the Bill was a perceived need for an immigration bill – as a matter of course, politicians felt that the Free State should have an immigration bill, as part of the trappings and regalia of a nation state. The content of the immigration bill appears to have been less important than the fact of its existence. The bill was therefore required as a matter of protocol, rather than of necessity to address immigration problems in the Free State.

Similarly, there was a practical need for new Aliens legislation to reflect the new citizenship categories introduced in the Nationality and Citizenship Act, which was by far the more significant of the two initiatives. The immigration legislation appears in many ways to have been a necessary annex to this politically more controversial bill. Certainly, establishing a separate Free State citizenship, as opposed to the Commonwealth common citizenship, was a significant step forward in establishing the distinctiveness and independence of the Free State. The initial motivation for the 1935 Aliens Act therefore does not appear to spring from the impulse, more commonly observed in other Dominions, to protect the Irish nation from an influx of foreign immigrants.

This then provides the rationale for introducing the new immigration legislation. The chapter also reviewed the existing British legislation and the governance structures, both in the Free State and throughout the

Commonwealth, which shaped the actions of the Free State government in developing and introducing this Bill. The pre-existing Aliens legislation introduced under the Westminster Government – which caused no practical problems for the Free State government - and the historical continuity between the Free State and Dublin Castle administrations in all likelihood contributed to a lingering influence from the British governance and legislative system in shaping the Bill. Further, the Free State, although having eked out to a considerable extent the right for Dominions to act freely and independently in domestic affairs, still had to operate within the Commonwealth in developing the new legislation. The pressures and tensions of Anglo-Irish relations therefore would have some bearing on how the immigration legislation was progressed. The next chapter examines the process of designing the immigration controls, particularly considering how the significant structural and cultural influences were reflected in the Act.

Chapter Seven: The Development of Free State Immigration Controls; Challenge and Change (II)

Introduction

The previous chapter has demonstrated that the immigration controls introduced in the 1935 Aliens Act were not primarily motivated by the aim of excluding unwanted foreign immigrants from the Free State. However, a number of significant influences on the development of the legislation can be identified in the documentary evidence. De Valera's government reviewed other existing immigration policies, particularly in the Dominions. Irish nationalist politics also had a significant influence on the Act, although not principally in advocating for the exclusion of foreigners from the Free State. The Irish nationalist influence had to be mediated through the relationship of the Free State with the Westminster Government, and particularly in the context of the opposing interests of the governments with regard to the greater independence of the Free State. The principle of maintaining reciprocity of treatment for Free State nationals in other countries was also an important influence. Finally, the contradiction of Partition with the Free State's territorial objectives is found to have a significant impact on the development of the Act.

Existing Dominions Immigration Legislation

As well as the connection with Britain, a further important issue for the development of Free State immigration policy was existing practice in the Dominions. The archival evidence demonstrates that officials in the

Department of External Affairs referred to these immigration policies as well as that of the United States, in their preparation of the Aliens Bill. Memoranda detailing the immigration policies of the three Dominions of Canada, South Africa and New Zealand were drafted by Free State civil servants (NAI DFA 2/631). These Dominions, as discussed in Chapter One, had already established policies to control inward migration, which were not based on the principle of reciprocity of right to entry across the Commonwealth. There were, therefore, models of exclusionary immigration controls based on objectives of protecting the ethnic national makeup enacted in the Commonwealth, which were reviewed by the Free State Government in its formation of the Aliens Bill. Why then did the Free State administration decide against following the path already forged by New Zealand, Australia and Canada, which would have limited the right of entry only to those who were born or naturalised in the United Kingdom or the prevailingly 'white' Dominions?

Irish Nationalism and Xenophobia

Mainstream impulses of nation-building and nation-protecting in Ireland were likely to be as racist or prejudiced against the entry of Asian or black British subjects as in Canada or New Zealand. Fanning comments that "nation-building in Ireland, a process of political, religious, social and economic modernisation, resulted in the ideological and material exclusion of minorities as dominant understandings of 'Irishness' narrowed and combined with other forms of social and economic closure" (Fanning, 2002: 2-3). Sociological literature also provides widespread

commentary on how Irish nationalism has excluded Irish traveller communities (see McVeigh, 1992, 1996; Mac Laughlin, 1999). Chapter Five identified evidence of "'race' thinking'" in Irish nationalism, and suggested that colonial racist beliefs in the superiority of white over black 'races' permeated Irish society. Moreover, the influence of a 'British' civil service system was arguably as relevant in the development of the Dominions' immigration controls as in the Free State. Why then would immigration controls in the Free State not follow the precedent set by these Dominions, and draft immigration legislation that would exclude black and Asian immigrants?

De Valera's election victory was partly, if not wholly, due to his success in appealing to the anti-British sentiment within Irish nationalism. In his 1933 election campaign, "Anglo-Irish relations were the circus and de Valera the liontamer. It was an approach that had a consistently direct and emotional appeal to the Irish electorate, transcending such mundane considerations as the state of the economy and rising unemployment. De Valera and his ministers got immense political mileage out of the economic war, accusing the British government of trying to bring down the Fianna Fáil administration by economic warfare" (McMahon, 1984: 106). Lee comments that de Valera's handling of the External Affairs portfolio on taking office was further intended to mark him "as the embodiment of the nation, defending its interests against the usurping Saxon and guarding against being outflanked by a zealot" (Lee, 1989: 176).

The British government was aware of the anti-British sentiment that prevailed in the Free State. Professor Reginald Coupland[25] sent notes on his trip to the Free State to the Dominions Office, and commented that "any Englishman new to Ireland must be struck as soon as he lands by the evidence of antagonism to England" and that in the election, "Irish candidates must be Irish 'patriots' first and last" (NAUK DO 35/398/3: 24th August, 1933, Notes by Professor Coupland as a result of recent visit to Irish Free State: 1-3). This Anglophobic sentiment was possibly the most prominent characteristic of Irish nationalism.

However, within the context of the Commonwealth of Nations, the Free State administration could align itself with Great Britain rather than with other Dominions and Commonwealth states. For example, in the early (1929) discussions between Free State and UK officials on the subject of nationality and citizenship legislation, Joseph Walshe (Secretary of Department of External Affairs) wrote a letter to Harry Batterbee outlining the problem as seen from the Free State perspective:

> I think you know the technical difficulties which are going to give us more and more trouble in our relations with foreign countries if we do not adopt some classification of the King's subjects. Canadians, Zulus, Irish and Hottentots are

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[25] Professor Sir Reginald Coupland was Beit Professor of History of British Empire at University of Oxford, 1920-1948. He provided advice to the British Government not only on Ireland, but on the partition of Palestine in the 1930s (Jackson, 2004: 144). The presence of his note on file is interesting: that it was kept on file arguably demonstrates the earlier point on the lack of clear information and knowledge that the British Government had regarding conditions in Ireland, and on the Irish population and government.

> inextricably mixed up in the general description ... A definite sense of national distinctiveness is fast developing.
> NAUK DO 35/71: Letter from Walshe to Batterbee, 10th Nov 1929

In British government notes of a later (1932) conversation between Dominions Office officials and Walshe, it was noted that "Mr Walshe ... strongly emphasised that the recognition of Ireland as a 'Mother country' would have great sentimental value in the Irish Free State, which resented anything which seemed to put it in the position of an 'elevated colony'" (NAUK DO/35/381/1 Note of Conversation with Mr Walshe, H Batterbee and JH Thomas 29th October, 1932: 1-2). Professor Coupland also noted this tendency and in his notes to the Dominions Office commented that "Irish national pride, which is morbidly sensitive, resents the Dominion analogy: Ireland is not a young 'colonial' half-baked nation, but an ancient mother-country" (NAUK/DO/35/398/3: 24/08/33: 5). A similar point was made by Sean MacBride in the late 1940s regarding the attachment within Ireland to viewing the nation as a 'mother country' as opposed to a Dominion or colony;

> We take pride in our history and in our race. To a certain extent, we are a mother-country to many of the Commonwealth nations, who are largely peopled by Irish people. We take a certain pride in the fact that we are a mother-country to the great nations of the Commonwealth and also to America.
> NAUK CAB/21/1835: MacBride interview with Manchester Guardian 21st September, 1948: 5

Although this remark was made fourteen years after the introduction of the Citizenship and Aliens Bills, it demonstrates the point that within the

context of the British Empire, key nationalist politicians saw their Irish national identity as in some ways similar to a British national identity: as a mother country of the Empire, rather than as simply another colony or Dominion.

In terms of attitudes to foreigners, a general xenophobia seems to have been prevalent within the Irish Free State. Notwithstanding the position of the Irish Free State within the Empire, the openness of Irish culture to what were external influences appears to have been particularly limited. For the population in general, external or foreign affairs mainly implied dealings with the UK. News coverage of events outside Ireland and the UK at that time was sparse. Lee points out that in the education system, there was little opportunity for pupils to gain knowledge or experience of other cultures and practices, commenting that, "on the language side, the combination of compulsory Irish and virtually compulsory Latin ... meant that few other languages were taught. A mere 21 per cent, almost all girls, took French, and only a handful of people took any other European language. England thus remained the repository of the only living intellectual culture to which most Irish had access" (Lee, 1989: 131). Ireland had intellectually isolated herself in large measures since independence; "her links with the outside world were mainly confined to Britain and the Vatican" (Lee, 1989: 260). This narrow outlook and lack of experience of other cultures and nations led Lee to conclude that xenophobia and racism could have been rife in the Free State, had there been the numbers of immigrants from other states to provoke this

reaction, commenting that "it was circumstances, not character, that prevented the latent anti-Semitism from finding a more active outlet in Ireland" (Lee, 1989: 78)

Foreigners in general were treated with a healthy dose of mistrust and cynicism; the authorities in the Free State kept files on all foreign nationals in the national territory (O'Halpin, 1999). Negative attitudes were evident and widespread against those regarded as potential security threats (whether it be to national security, or to ethnic security) to the Irish population. Suspected communists and Jews, however, were regarded with the most hostility (English, 2003: 50; Keogh, 1998). This xenophobia was apparent in both political and wider social circles. O'Halpin describes the extent of this introspection and xenophobia. It is worth quoting at length:

> The Cosgrave [the first Free State government after independence, 1924-27] administration shared the antipathy of most governments towards communism in all its forms, seeing it as the greatest threat to world order throughout the 1920s. Consequently there were few inhibitions about exchanging information on communist activity with other countries, both within the framework of dominions co-operation and with foreign powers, including the United States and Germany...The Cosgrave government and its successors loathed Bolsheviks and communists just as much as the British did, they shared British suspicion of Europeans in general, they had no sympathy at all for the native peoples of the British empire, they regarded it as axiomatic that to admit foreigners was to give away Irish jobs, and they thought it essential to social harmony to preserve the homogeneity of the populace by keeping strangers out. Even those few foreigners who managed to establish themselves in Ireland remained objects of official interest.
>
> (O'Halpin, 1999: 75-76)

O'Halpin demonstrates collusion between UK and Free State authorities, from the inception of the independent Irish state, with regard to the monitoring of foreigners arriving on Free State territory. In practice, the Irish authorities operated the British passport watch list (after the introduction of Free State passports in 1924); this "extraordinary document listed both persons whom the British either wished to exclude or to monitor should they attempt to enter the United Kingdom, and people who might seek to leave the jurisdiction unnoticed" (O'Halpin, 1999: 75). There was also continuous liaison between Dublin and London on communist activity, through contact between the respective police forces.

The xenophobia and anti-Semitism that was prevalent in the Irish Free State in the early twentieth century was in part the consequence of a wider cultural development in Europe: the emergence of beliefs of scientific racism and their corresponding nationalisms. The specificity of the Irish 'race' was reaffirmed in public discourse; for example, James Connolly[26] wrote that the "national and racial characteristics of the English and Irish people are different... Their political history and traditions are antagonistic" (Connolly cited in Boyce, 1982: 302). A series of 'Irish Race Conferences' were held in the early years of the twentieth century: two before the First World War, a convention in Philadelphia in

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[26] James Connolly (1868-1916): Irish socialist leader, founder member of the Irish Labour Party. He participated in the 1916 Rising and was one of 16 men executed in its aftermath.

1919, and "an Irish Race Conference met in Paris at the end of January 1922 to initiate a new world organisation that would link the people of Ireland with their cousins around the globe" (Keown, 2001: 365).

We have, then, evidence for a concept of Irish nationalist pride: regarding Ireland as a mother country and not just another colony; xenophobia; and a distinct vision of the Irish as a 'race' in the 1930s Irish Cultural System. If Irish nationalist interests around protecting the nation were to shape the development of Irish immigration policy, there are two possible ways this influence might have shown itself. One option could have been for the government to respond to an Anglophobic tendency and exclude British citizens from Free State territory. This would have responded to perhaps the most strongly expressed aspects of Irish national identity at this period, but would inevitably have had severe consequences for the Irish Free State and its resident population, as well as the Irish emigrants who were living abroad in the United Kingdom and Commonwealth states.

A second option, reflecting Irish nationalist ideas of Ireland as a 'mother country' to the Commonwealth, could have been to limit entry to the Free State to those Commonwealth citizens who could prove Irish ancestry, but to exclude other British subjects who could not demonstrate this link. Such a policy would in some ways have been in keeping with the established immigration policies of New Zealand and Canada, and would also have fitted the latent xenophobia in Ireland, as identified by Lee. Such a policy would certainly demonstrate a 'fit' with the nation-building

activities and Gaelicizing agenda of the Free State, and its implementation would have made little practical difference to the day to day administration of Irish immigration controls, given the very low numbers of emigrants to Ireland from outside the UK and its Dominions and the United States (Kennedy, Giblin and McHugh, 1988; Meehan, 2000).

Anglo-Irish Relations

Partly due to the problem of partition, and partly due to wider nationalist interests, relations between de Valera's Free State Government and the British Government were tense almost from the moment de Valera took power. Due to the anti-British aspect of Irish nationalism, Free State politicians could make political gain by disparaging Britain and emphasising the distinctiveness of the Free State from Britain. De Valera was of course, keenly aware of this situation, and exploited such sentiment in his Dáil speeches on the Bills:

> The nationals of this country must become as distinct from those of Great Britain as a matter of law as this Nation is distinct from the British Nation as a matter of history. Has not this been the supreme national issue for centuries?
>
> NAI DFA 2/631

McMahon comments that, "while de Valera was not anti-British, his distrust of British politicians never disappeared" (McMahon, 1984: 16). For their part, the British government were highly suspicious of de Valera, as he had opposed the 1921 Treaty, led the anti-Treaty side in the

consequent Irish civil war, and later led the formal parliamentary opposition to the Cumann na nGaedheal government who supported and endorsed the Treaty. As MacMahon notes, "in 1932 Cosgrave and Cumann na nGaedheal symbolised stability and security to the British government, and no British minister, of whatever party, was inclined to tolerate a disturbance of the status quo" (McMahon, 1984:28).

The election victory of de Valera in 1932 therefore signified a threat to the previously supportive political relationship between the British and the Free State governments. Some politicians within the British government were inclined to hope that de Valera would soon lose power and that Cosgrave would be returned to office (see for example NAUK DO/35/384/1, Memo by SofS for Dominion Affairs to Cabinet Viii, ISC 22/11/32). The British Government had little knowledge or understanding of the new Irish government. McMahon further comments that the UK government was sorely lacking good quality information, and had to rely instead on notes and reports "solicited and unsolicited, from a wide range of people, the majority of whom had opposition [Cumann na nGaedheal] sympathies or had very little contact with the new government" (McMahon, 1984:29; see also above discussion of Professor Coupland's notes in DO files on the Free State).

The Aliens Bill of 1934 was introduced in a political climate in which the Free State government was challenging both the terms of its relationship with the United Kingdom and the terms of Free State membership of the

Commonwealth of Nations. In 1932, the year he took office, de Valera introduced a Bill to abolish the requirement on Dáil Members to take an Oath of Allegiance to the King. In 1933, he initiated what came to be known as the "economic war" with the United Kingdom, by challenging terms of the 1921 Treaty which laid out that the Free State government would pay reparations to the United Kingdom for land purchases, as well as for other relatively minor issues (for example, continuing pensions payments to former British Army officers resident in the Free State). The relative estrangement between the two Governments meant that this unilateral action was taken in a context of uncertainty, the Free State always unsure of where the boundaries lay in terms of what the British Government would accept, and the British Government wary of pushing the Free State too far and perhaps thus provoking its departure from the Commonwealth.

De Valera had set about challenging the relationship between the Free State and the British Empire established by the terms of the 1921 Treaty. To some extent, his introduction of the Nationality and Citizenship and Aliens Bills in 1934, though initiated by an earlier government, can be regarded as a further step in this process. Foster comments that it was the 1931 Statute of Westminster that "had made all this possible; India was only one dominion that would follow the Irish example in testing the logic to its limit. Nor should the strategy be seen as happening in a vacuum ... [it] did not operate as an autonomous juggernaut, but interacted closely with British policy and Irish conditions" (Foster, 1989:

550-1). Indeed, de Valera acknowledged to British emissaries that the flexibility and freedom awarded the Free State were considerable. William, Peters, the United Kingdom Trade Commissioner in Dublin describes de Valera as saying that;

> He, sitting in the centre of things in the Government could appreciate the degree of independence enjoyed, but no statesman could go out to the people and tell them this because he simply would not be believed.
>
> NAUK DO/35/197/10, Letter to Batterbee in Dominions Office from UK Trade Commissioner in Dublin

In comparison to the controversy created by the Oath of Allegiance Bill and the withholding of land annuities, the Nationality and Citizenship and Aliens Bills provoked a relatively quieter response from the British Government (MacMahon, 1984; Lee, 1989; Foster, 1989). For example, "when officials of the Dominions Office, Home Office and Foreign Office consulted their records, they discovered that de Valera's draft bill was very much along the lines of the proposals put forward by the [Cumann na nGaedheal] Irish delegates during the 1930 Imperial Conference" (MacMahon, 1984: 140). The one key difference was that de Valera's version of the Citizenship Bill allowed no basis for common status of citizenship across the Commonwealth, as had previously existed. This would result in a legislative distinction between Free State citizens and other British subjects.

British concern regarding this omission is evident in notes drafted for a Dominions Office meeting which reflect on the difference between the

earlier 1929 and 1930 discussions on nationality questions: "The main point is that their Bill as now drafted does not contain anything which the United Kingdom representatives have ever been prepared to regard as legally establishing a 'common status', nor does it in any way bring out the point that nationals of the Irish Free State owe allegiance to the King" (NAUK DO/35/112/1 notes in advance of meeting 23rd February, 1934: 1). A further note within this file comments that, "it follows that the repeal of the British Nationality Act by the Irish Free State unaccompanied by any provision linking up the status of Irish citizen with the status of a British subject places the Irish proposals entirely outside the scheme under which the common status is maintained" (NAUK DO 35/112/1 Untitled note on proposed Irish legislation 21st March, 1934: 3). In an internal memorandum for the Secretary of State for the Dominions Office, officials noted that:

> The present Bill, however, goes much further than the similar legislation in Canada and the Union constituting Canadian and South African nationals. It is described by Mr de Valera as "a comprehensive code of Irish nationality law" and, as will be seen from the memorandum, is based on a conception of "common status"... entirely different from that which has so far been generally accepted.
>
> NAUK DO/35/112/1: Min to Secretary of State, proposed nationality legislation in the Irish Free State, ISC 32(85) 7th July, 1934: 4

Despite these significant concerns on the principles contained within the proposed legislation, the British Government's reaction to the introduction of the Citizenship and Aliens Bill proposals was relatively low-key. This may have been due to a reluctance on the UK government's part to

create a rift with the Free State government. The British reaction, after deliberation, was to

> bank on that slender thread of continuity, and treat Eire as substantively occupying the Free State's place in the Commonwealth. ... a recognition that extreme gestures (a formal declaration of a republic, or the severance of all British links) would finalise Partition. ... Each side spoke a different language: the British paying elaborate attention to legal niceties, the Irish stressing the popular will (as Fianna Fáil conceived it) and the burden of history (as de Valera visualised it).
>
> (Foster, 1989: 551-2)

The British Government was aware that de Valera was pushing the boundaries of the Free State's adherence to the terms of the 1921 Treaty and membership of the Commonwealth, yet appears to have been fearful of provoking the Free State government and providing an opportunity for them to renounce Commonwealth membership. For example, in a memorandum to Cabinet written by the Secretary of State for Dominion Affairs, it was noted that, "naturally one would have liked to be able to propose some stronger action, but I doubt whether the time has yet come when we ought to modify our general policy in relation to the Irish Free State, which has so far been to make no move that could be construed as an effort to drive the Irish Free State out of the British Commonwealth" (NAUK DO/35/398/4, Cabinet note, "The position in the Irish Free State – Memorandum by the Secretary of State for Dominion Affairs": 3). This is further supported by the British Government's response to the Bill for the abolition of the Oath of Allegiance to the Crown, where British politicians were evidently extremely concerned regarding the prospect of abolishing

the Oath, yet decided to treat the Bill as not constituting a breach of Commonwealth membership.

> The position of Irishmen (who it is convenient to remember are natural born British subjects under the British Nationality Act 1914) is that of persons who, oath or no oath, owe allegiance to the King. It seems clear, therefore, that although the abolition of the Oireachtas Oath would be, as I emphatically think, a breach of the Treaty, it would not in itself be a repudiation of allegiance or an act of secession.
>
> NAUK DO/35/197/10: Memo to S of S for Dominion Affairs on Abolition of the Oath, 20th March, 1932: 13

The Free State and British governments addressed the tensions between the two countries with two distinct approaches. De Valera's government attempted, as far as possible to signify the distinctiveness of the Free State as separate and independent from Britain and the Commonwealth. On matters of principle, such as the Oath of Allegiance and the citizenship clauses, the Free State government made sustained efforts to emphasise this distinction (although in practice, these alterations caused little change to the status quo). The British government, on the other hand, was more concerned with the practicalities of the situation, and as long as these were not affected, decided to ignore the changes of principle that were being chiselled away by the Free State government. De Valera's government, therefore, in introducing new nationality and immigration legislation was not simply engaging in a further act of legislative rebellion against the British government. Daly notes that as far back as the 1926 Imperial Conference, it was clear that "Irish ministers regarded separate citizenship, coupled with generous reciprocal rights for

the citizens of all Commonwealth countries, as a logical corollary to the Balfour Declaration[27]" (Daly, 2001: 383).

The new citizenship legislation, as drafted by de Valera's government, did not allow for the concept of a common citizenship across the Commonwealth. Within the Nationality and Citizenship Bill, the Free State government had defined British subjects as 'aliens'. This was a departure from previous practice. Defining British nationals as alien to the Free State was arguably an important principle for the Free State government and its nationalist supporters to establish. British officials overall took the view that the Bill "would cause no practical inconvenience *as long as the Free State continued the practice of exempting British subjects from aliens and immigration restrictions* (McMahon, 1984: 142, my emphasis). The Aliens Bill was put forward with an amendment that would allow British subjects to enter Free State territory without restriction, and as such, little practical change would be effected by the definition of British subjects as aliens to the Free State. The UK government concluded that "in the circumstances it was felt that as no practical difficulty should arise from the operation of the legislation, it was unnecessary to enter any formal protest against the description of British as 'aliens' for the

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[27] The 1926 Balfour Declaration (as opposed to the 1917 Balfour Declaration on the Middle East) was the name given to a report resulting from the 1926 Imperial Conference of Leaders of the Dominions. It states of the Dominions: "They are autonomous Communities within the British Empire, equal in status, in no way subordinate one to another in any aspect of their domestic or external affairs, though united by a common allegiance to the Crown, and freely associated as members of the British Commonwealth of Nations" (Balfour Declaration, 1926).

purposes of the Act" (NAUK CAB/64/34, Appendix 1 to ISC report, July 1935, by DO: 5).

The new Aliens legislation altered the previous UK legislation only slightly regarding the categories of people allowed entry to the state. For example, Americans of Irish descent, although neither Irish citizens nor British subjects would be entitled to live in the state. Because of the absence of immigration checks between the Free State and the United Kingdom, any people allowed entry to Free State territory would also be able to enter the United Kingdom. The UK Trade Commissioner to the Irish Free State made preliminary investigations as to the number of alien immigrants that were admitted to the Free State in the 1930s, and concluded that the number was small (NAUK DO/35/112/1, Note on foreigners in IFS Annex to ISC memorandum by S of S to DO 5th July, 1934). As such, there would be little additional potential migration to the UK under the Act.

Although the Nationality and Citizenship Act did establish British subjects from outside the Free State as aliens, the Aliens Act was careful to enshrine a protocol whereby British subjects could travel freely to Free State territory, as had previously been the case. It is not clear that these immigration controls were shaped by Irish nationalist ideals; rather it would seem that this was a case where the more general material interests of the Free State would be harmed by any other course of action. Although the introduction of the Aliens Act was advocated by the

Free State government as an action that would establish the independent nationhood of the Free State, initiatives to protect or build the Irish nation do not seem to have featured as an influence in developing the particular immigration controls that were enacted. To some extent, there was a delicate trade off between developing independent Free State policies and managing on the other hand the pressure from the UK government and acknowledging the Free State's structural membership of the British Commonwealth of Nations (Meehan, 2000: 18-21).

If significant numbers of people previously excluded from entry to the Free State were to be admitted under the new Act, the UK government might well have protested, given the opportunity for them to cross relatively easily to UK territory. As it was, however, the low numbers of potential additional migrants was likely to further reassure UK politicians and officials that the new Act would change little in terms of practicalities. This was explicitly discussed in a British government inter-departmental meeting:

> It was considered that the practical effect of the Irish Free State proposals would not, so far as could be seen, be great, whether as enlarging the categories of Irish Free State citizens who are not British subjects or in relation to the position in the Irish Free State of British subjects from other parts of the Commonwealth.
>
> NAUK DO/35/112/1 Notes of a meeting at the DO 23rd March 1934, between DO HO and FO reps: 5-6

The British government had similarly a clear reason for not challenging the Free State, and (as was feared in Britain) potentially provoking the

Free State into seceding from the Commonwealth. The British government regarded the Irish Free State as just one of many states within the Commonwealth investigating the possibilities for establishing further freedom and independence. The independence movement in Ireland "had stimulated admiration and imitation elsewhere in the Empire, including India, where members of the Indian National Congress watched developments in Ireland with care (Jackson, 2004: 142; see also Harkness, 1969). In dealing with the Free State, the British Government had to strike the right balance, affirming that the Irish Free State had sufficient independence to manage its own affairs, but never quite stating fully that the Free State was able to do exactly as it wished within the Commonwealth.

> On the question of the suggested statement, to the effect that the Irish Free State is mistress of her own destiny, discussed in paragraphs 15-18 of CP 124 (36), we have conferred with the Secretary of State for India[28] who saw great difficulty from the point of view of political reactions in India in agreeing to any declaration of general application of the kind contemplated being made by the United Kingdom government
>
> NAUK CAB/63/34: ISC, proposed discussions on all outstanding questions between the two governments: 24th July 1935: 3

[28] Laurence John Lumley Dundas, 2nd Marquess of Zetland (1876-1971), known as Lord Dundas from 1873 to 1892 and as the Earl of Ronaldshay from 1892 to 1929; Governor of Bengal during World War I; Secretary of State for India from June 1935 – May 1937; Secretary of State for India and Burma from May 1937 – May 1940. Although a Conservative politician, he believed that India should be allowed Dominion status. He played an important role in the protracted negotiations which led to the 1935 Government of India Act.

O'Malley (2008) references Zetland's arguments against "the unwisdom of making any public declaration to the effect that Ireland was mistress of her own house and could, if she desired to do so, leave the British Commonwealth of Nations without our attempting to resort to force to prevent her going. I stressed the disastrous effect which any such public declaration would be likely to have in India, since India has always been ready enough to turn to Ireland as her model in so far as her subversive movements are concerned" (Zetland in O'Malley, 2008: 129).

This wider issue of the Free State setting precedents that could apply more generally to Dominions arose during the process of introducing the 1934 Bills to legislate for new Citizenship and Aliens regulations, South Africa was also beginning to consider its own options in this specific area. A meeting of the Irish Situation Committee in 1934 concluded that, "very great care was needed because as Mr de Valera had sent a copy of his despatch to us and to all the Dominions, we also should have to send a copy of our reply to the Dominions, and among them to South Africa. That was a point that had to be borne in mind when they were considering the terms of the reply" (NAUK DO 35/112/1, Conclusions of the ISC 08/07/34: 1). The Commonwealth membership of the Free State therefore constrained both Free State and British governments in their proposal of and response to this new legislation.

Securing Reciprocity for Irish Free State Citizens

Rather than immigration rates being a matter of concern for those developing the Aliens Bill, the high emigration rate from the Free State was arguably a more important factor in shaping the controls. The reliance of the Free State on emigration to act as a safety valve for its faltering economy meant that de Valera could not simply design an immigration policy to match Irish nationalist tendencies. Maintaining the range of countries to which Free State citizens could enter freely partly, by establishing the reciprocal rights of their citizens to enter the Free State, was in all probability an important consideration in the development of the legislation.

The government could therefore not simply set the laws governing inward migration as it wished, without any reference to high rates of outward migration. It would not be politically or economically beneficial to risk cutting off prospective Irish emigrants to those countries by excluding their citizens from Free State territory, regardless of any nationalist sentiment against their citizens. The principle of reciprocity within immigration policy, key to managing outward migration rates, was a key objective for the Free State government, as demonstrated in the extract quoted below, from de Valera's speech in the second reading of the Bill (14th February, 1935);

> Exemption of citizens of certain countries from provisions of Act or from an aliens order, section 9 (heading)
> Under Section 9 we have power to exempt citizens of certain countries from the application of provisions of this Act. The

> intention there is to parallel the provisions which we have in the Nationality Bill by which we can give to citizens of other countries who are alien to us privileges corresponding to the privileges which our citizens would enjoy in their countries. We are proposing to give certain rights and privileges to citizens of other countries on the basis of reciprocity; in section 9 of this Bill, we are proposing to grant exemption from restrictive legislation, on the basis of reciprocity also.
>
> NAI DFA 2/631

This indicates that one of the main rationales for determining who would be included or excluded from the right of entry into Free State territory was not at all based on the protection of a homogeneous Irish nation. Rather, acting again in accordance with pragmatic political imperatives rather than nationalist ideals or aspirations, de Valera evidently judged that the maintenance of the emigration flow out of the Free State was a key national interest, and most likely of more importance than managing a small immigration flow into the territory. With issues such as population flows and demography foremost, rather than protection of the nation from outsiders, the Free State created an immigration policy that was reciprocal and pragmatic, rather than idealistic and nationalist, in its objective. The Government in this case at least had to maintain reciprocity of policy with Great Britain: if restrictions on Free State nationals emigrating to the United Kingdom were introduced, the effect on the state's economy would be potentially disastrous. Indeed, when the United Kingdom did, in the 1940s, consider for the first time the introduction of migration restrictions on British subjects (resulting in the 1948 Nationality and Citizenship Act) the Free State government lobbied

forcefully for the exemption of its nationals from these restrictions (see Daly 2001 and Meehan, 2000, for further discussion).

As discussed above, Free State civil servants reviewed Dominion immigration controls in developing the Aliens Bill. Several archived documents also reference immigration policies and practices in other states. In the Dáil debate on the second reading of the Aliens Bill 1934, de Valera addressed those politicians who were nervous as regards the introduction of the new Bill, by emphasising the unexceptionality of the clauses contained within the Aliens Bill.

> These matters comprise the usual restrictions which modern States impose on aliens with a view to their control generally. Under this section the Minister may, by an aliens order, prohibit the entry into this country of the aliens to whom the order relates. It may relate to all aliens, or those of a particular nationality or of a particular class, or to particular aliens.
>
> NAI DFA 2/631

However, the justification of the Aliens Bill on the basis of its similarity to existing legislation elsewhere was not used merely as a political ploy. Evidence was also found within the file that demonstrates that such logic was used internally within the Department in the drafting of the Bill. In a Department of External Affairs memorandum in response to a point regarding changing the name of an alien, Department officials commented that:

> The answer is that a desirable alien might inherit property on condition of changing his name. That condition is frequent in very many cases...
> Mr. Shortt, Home Secretary, speaking on a similar section in the British Aliens Restriction Amendment Bill 1919 in the British House of Commons, said:
> "It is essential that we should know who people are. This gives absolute control. It also gives discretion in right cases to allow a change of name. That can always be done if there is really good ground for it"
>
> NAI DFA 2/631

This reference to previous British debates on the 1919 Aliens Act in justifying parts of the Free State Aliens Bill 1934 demonstrates the implicit connection between the previous legislation and the new Bill, and the cultural importance of British legislative contexts to the Free State administration. In a note to the President from officials within the Department of External Affairs (on the ownership of Irish Ships and Aircraft by Aliens) dated 13th February 1935, the following was also noted:

> Section 23 of the Irish Nationality and Citizenship bill will enable the Executive Council to make orders conferring rights and privileges on aliens on a basis of reciprocity, that is to say, on the basis of similar treatment for nationals of Saorstát Éireann in the countries to which the orders relate. But the section contains a saving clause which will prevent every such order from operating to confer on any alien the right to own any Irish ship having an agreed status *unless the alien belongs to one of the countries, i.e. the countries of the British Commonwealth, amongst which the particular agreement exists from which that status derives.*
>
> NAI DFA 2/631: my emphasis

Attached to the note to the President is a memorandum outlining current legislation on the ownership of ships by aliens in other states (France,

England, US, Germany, Belgium, Italy, Chile, Argentina, and Colombia), also demonstrating the importance of existing aliens regulations in other states in the development of Free State policy.

The principle of reciprocity appears to have been a significant factor in the development of Free State immigration policy, and understandably so, given the importance to the Free State economy of the annual emigration flow. If a policy of ethnic protection for the nation was to play an important secondary role in the development of Free State immigration policy, one might surmise that legislation would allow for a potential narrowing of this principle to reciprocity with only those countries where Free State citizens were likely to emigrate, and perhaps also that the citizens of those states with a low level of Irish emigration, and who were likely to be regarded in Ireland as 'outsiders' might still be excluded by Free State immigration controls. However, it is not at all evident that this was the case.

The Problem of Partition

The importance of the geographical location and political structuring of the island of Ireland cannot be overlooked when taking into account the development of Irish immigration policy in the 1930s. The majority of the Free State population was not supportive of the existence of a border between the six counties of Northern Ireland and the twenty-six counties of the Irish Free State. Neither was the majority of the Free State parliament supportive of the border. But it was accepted as a necessary

evil to be tolerated for the greater goal of independence from Britain. For most though, the ultimate aspiration of independence and nationalism was of a United Ireland, independent from the UK (see MacMahon, 1984; Foster, 1989; Lee 1989; Garvin 1996; Jackson 1999; Hoppen 1999).

Lee notes that although de Valera appreciated the independence of the Free State government in domestic matters, the fact of partition remained a threat to the Irish Free State's position within the Commonwealth: "the constitutional changes in the relationship between Britain and the Commonwealth as a result of the Imperial Conference of 1926 and the Statute of Westminster 'had brought changes into the situation. He no longer thought it necessary for Ireland to break away from the Commonwealth in order to establish her freedom. Her freedom was already established' – though if partition were to continue indefinitely, it might still be necessary to sever links" (Lee, 1989, quoting Macdonald[29]: 213-4). The Commonwealth link was important to the Free State precisely because of the political tensions arising from partition. De Valera's acceptance of the Free State's position within the Commonwealth is described by McMahon as a concession to Northern Unionists and "a clear recognition that there would have to be compromise on the Republic if unity was to be achieved" (McMahon, 1984: 9). Partition potentially

[29] Malcolm MacDonald (1901-1981) succeeded JH Thomas as Secretary of State for the Dominions in late 1935; son of Prime Minister Ramsay MacDonald, he was initially a Labour MP who then joined the National Government in 1931 and was consequently expelled from the Labour Party. Although he lost his seat in the 1935 general election, Baldwin decided to retain him in government, moving him to the Dominions Office.

forced another compromise on the development of immigration controls. To a great extent, the nationalist ideals of the Fianna Fáil government would have limited the extent to which they could enact immigration controls along the border with Northern Ireland.

Further, if immigration restrictions on the population of the United Kingdom were introduced, the problems of establishing immigration controls on the border would have been highly challenging. Theoretically this could have led to the citizens of Northern Ireland having to undergo border checks to enter a state that was laying claim to them as rightfully being its citizens (as later set out in the 1937 Constitution)[30], and of which many already professed to be nationals (i.e. the nationalist Catholic community). It is unlikely that such a course of action was ever considered by the Free State Government, it being so far from the realms of political and practical possibilities. The British government did investigate the impact of treating the Irish Free State as a foreign country for the purposes of the Aliens Act. The Home Office was reported to anticipate "very considerable difficulties, both as regards legislation and administration, and indeed they doubt whether the results would be worth the trouble and expense involved" (NAUK DO/35/197/10 Note for Secretary of State 19th February, 1932). The fact of partition, combined

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[30] Although the Free State government did (surprisingly, according to Fanning, 1983) establish a chain of customs posts along the boundary with Northern Ireland in 1923, the imposition of immigration controls for Northern Irish nationalists entering the Free State would have been a much greater step, and arguably would have been impossible for de Valera's government.

with Irish nationalist aspirations, it can be argued, combined to create a scenario in which imposing immigration controls on Northern Irish British subjects would simply have not been feasible.

The importance of the Northern Irish link to Irish Free State politicians (and, it goes without saying, the Irish Free State population) is illustrated in the following extract from NAI DFA/2/631, discussing a proposed amendment to the Aliens Bill. The proposal was that a new paragraph be inserted to avoid people born in Northern Ireland having to register as a Foreign Birth in the Free State. The Department of External Affairs officials recognised the importance of this point, and proposed adding a new section to the Bill specifically to deal with Northern Ireland births.

> The object of this amendment is to meet the point made by Senator Johnson that it was undesirable that the birth in Northern Ireland of persons whose citizenship of Saorstát Éireann depends on registration should have to register in a register entitled a Foreign Births register. We propose to insert a section later on in the Bill to establish the Northern Ireland Births register.
>
> NAI DFA 2/631

Notwithstanding the issue of a determination to exclude 'undesirables' from the Irish nation impinging on policy makers and politicians in the drafting of the Bill, the practicality of imposing immigration controls on the Northern Ireland frontier was recognised as a likely difficulty. In a letter dated 9th February 1935 from the secretary of the Department of Justice to Hearne, legal adviser to the Department of External Affairs, the point is made that:

> As it is obvious that we cannot prevent undesirables from making their way into this country either from Great Britain or through Northern Ireland it is essential that in addition to the power to refuse to leave to land we should also have adequate powers to terminate the residence of any alien who we do not want here. The provisions of the Bill as to registration and deportation are necessary to bring the presence of such aliens to light and to authorise their removal.
>
> NAI DFA 2/631: 2

However, even disregarding the problem for the Irish Free State of nationalist aspirations of a united Ireland, the Free State's proximity to the United Kingdom would have posed another insurmountable barrier to such restrictions. The difficulty of implementing immigration restrictions on the border would have been immense. This was noted within the UK government in the early 1930s, in discussing the possibility of establishing border controls with the Free State.

> The effective maintenance of a system of control over the passenger traffic between Great Britain and Ireland is a matter of great difficulty. The opportunities for evasion are almost unlimited. The cost of establishing and maintaining a staff to control the traffic throughout the length of the west coasts of England, Wales and Scotland would be very heavy and could not be justified in peace-time; nor could there be any guarantee that there would be no slipping ashore at unfrequented places from small boast which could easily cross the Irish sea or even from fishing boats, etc., in the course of their legitimate traffic. In addition, the land frontier between Northern Ireland and the Irish Free State could not possibly be adequately closed, so that it would be necessary to treat Northern Ireland for this purpose as outside the United Kingdom. Finally, any such control as would be necessary would arouse intense resentment among the business and travelling community.
>
> NAUK HO/45/4635: 13th August 1931, letter to PM from HO Secretary of State on Irish immigration to UK: 5

Limitations on de Valera and his government's actions also emanated from the combined and interrelated pressures of Commonwealth membership; the partition of the island of Ireland, and pressures of Irish nationalist aspirations to a united Ireland. The limitations these pressures placed on de Valera's manoeuvring within the Commonwealth were surmised by MacDonald, speaking as Secretary of State for the Dominions.

> My own view is that he hopes that North and South will come together in the end on this basis. He knows that it would be impossible for the North to come in if the King's position were to be further reduced.
> NAUK CAB/32/130: Imperial Conference 1937, Minutes of an Informal Meeting of Principal Delegates held in the Prime Minister's Room, House of Commons, 14th June, 1937: 162

The Free State government was occupied in a process of balancing and trading off different national interests such as the aim of achieving political independence for the Irish Free State from Great Britain, and achieving political unity for the island of Ireland, which could not be simultaneously achieved. Ironically, the achievement of a fully independent Irish Free State would create a structural context in which achieving the nationalist aim of Irish unity would become more difficult. The disjunction between Irish nationalist ambition and Irish Free State territory was a disjunction between structural and cultural contexts. As the Irish Free State was not a complete nation state (in that the state's territory did not match that of the Irish "nation"), its pursuance of national

independence would, although achieving some nationalist objectives, produce further obstacles inhibiting the achievement of others.

Conclusion

The UK Trade Commissioner succinctly described the de Valera government's approach to introducing legislative changes in the 1930s. While the letter particularly refers to the Oath Bill, the point can be applied more generally to the range of legislation introduced in this period, including the Nationality and Citizenship and Aliens Bills. It is worth quoting at length:

> There is a great difference in what I might call "quality" between the question of the oath and the question of the land annuities. The question of the oath touches "national aspirations". In so far as the Oath cuts across these "aspirations" the only reason for keeping it are those based on expediency. In other words, no one in the Irish Free State outside a politically insignificant minority will ever dare to defend the Oath as in itself a good thing...
> The really important point is: Will the results of the abolition of the Oath be disastrous so far as the national aspirations of Ireland are concerned, and so far as the material interests of the Irish Free State are concerned?
>
> NAUK DO/35/397/1: memo attached to letter from Trade Commissioner in London to Batterbee in DO: 2

This describes de Valera's practical approach to what is at first sight an issue of principle. The comments suggest that the Free State Government needed to strike a fine balance between practicalities and principles, and importantly, that Irish nation-building policies would not necessarily be pursued, should it be considered that they were damaging in practice to other aspirations and interests of the state. Given the low

numbers of migrants seeking to enter the Irish Free State, the issue of protecting the national or ethnic identity of the nation appears not to have arisen as an influence on those developing the legislation. Rather, the need to secure independence in governance within the confines of the Commonwealth, the structural fact of partition, and the cultural constraints of Irish nationalist aspirations for a united Ireland would appear to have been uppermost in the minds of politicians and officials in developing and drafting this legislation, all the while acknowledging the material and economic concerns over maintaining Free State citizens' rights to enter other states freely. The next chapter discusses these findings in more detail, and sets out how this research adds to the existing literature on immigration policy development. It also reviews the application of Archer's morphogenetic approach in this thesis, and considers its value for research problems of this kind.

Chapter Eight: Reflections and Conclusion

Introduction

These points, however, argue for the need for immigration controls in principle, rather than pointing to the content of those controls, namely identifying those who would be excluded from the national territory. The aim of this thesis has been to explain why the 1935 Free State immigration controls were so designed. This final chapter reviews the evidence presented in Chapters Six and Seven, drawing together the emerging conclusions to explain the development of these controls. It considers these findings in the light of the theoretical and empirical discussion presented in Chapter One, and proposes a justification for why the case of the Irish Free State is an exception to the wider pattern. Secondly, the chapter considers the value of the research approach used in this thesis – case study methods shaped by Archer's morphogenetic methodology. The chapter reviews the application of this approach in the investigation of the particular research problem presented here, and evaluates the potential for its application more generally in historical sociological research.

The Motivations for Immigration Controls: Refining Theory

The theoretical discussion and comparative empirical evidence used in developing the research problem for this thesis suggested that a nation state's government might be expected to develop immigration controls to protect a perceived ethnic interest of its citizens, preventing

'unassimilable' groups entering the national territory. Chapters Six and Seven presented evidence showing that the Free State Aliens Act 1935 was introduced, not because of a desire to limit either overall immigration, or the types of migrants that could come to the Irish Free State, but so that immigration legislation would match the new Nationality and Citizenship Act that was being introduced by the Fianna Fáil government. The introduction of these immigration controls was primarily an administrative practicality. Unlike the other states whose policies of immigration control were reviewed, the Irish Free State did not introduce immigration controls primarily motivated by an objective of keeping 'undesirable' immigrants out of the national territory. In the 1920s and 1930s, the Free State economy was depressed; numbers of immigrants entering the free state were very low; the implementation of the pre-existing British policy was satisfactory in practical terms for the Free State government; there was therefore no perceived need to materially change the regime of immigration controls. It seems that the Free State government introduced immigration controls without a need or desire to change its practical system of controlling immigration. Somewhat unusually, immigration *per se* was not of primary importance in the development of Free State immigration legislation.

Once the Free State administration had begun to develop immigration controls, the legacy left by British administration systems and by the colonial relationship with Britain limited the extent to which the Free State administration was able to, or perhaps even desired to, craft new

legislation, distinct from that which preceded it. The Free State constitutional, governance and legislative system, as well as the Free State civil service was based upon the British system. The administrative legacy of Great Britain undoubtedly shaped the way in which the Free State bureaucracy and government approached its administrative duties. Moreover, the presence of existing controls, which although developed by a British government were satisfactory in practical working terms to the Free State authorities, would have provided a useful model to follow for the new legislation. Given this historical legacy of the colonial relationship, and the lack of urgency for a break with the existing system of immigration controls, it is perhaps not surprising that the Aliens Bill developed and implemented by the Free State government tended to mirror previous immigration legislation introduced by the British. (As we have seen, this similarity between the two systems was even used by de Valera to argue for the new legislation.)

The Free State introduced immigration controls in a context firstly, where immigration itself was not an important issue for the government or the population as a whole, and secondly, where the administrative and legislative system of governance was modelled closely on the previous Imperial system. The empirical precedent of immigration controls developed according to nationalist objectives of protecting the nation from outsiders has not been found to be relevant to the development of Free State immigration controls. However, nationalism was a key reason for their development and introduction. Objectives of protecting the nation

were not perhaps of relevance to the structure of the controls (i.e. who was permitted entry to the Free State, and who was not), but a different nationalist objective was pertinent to their advancement.

In terms of relations between Britain and the Irish Free State, the evidence thus conveys a situation whereby the Free State government was intent on eking out as much of a distinct identity and position as possible within the confines of British and Commonwealth relationships. At the same time, the British government took the decision not to concern itself overly with the Free State's bid for an independent stance, as long as this stance would not overtly affect British and Imperial interests, in the greater interest of retaining the Irish Free State within the Commonwealth. The Nationality and Citizenship and Aliens Bills of 1934 were developed within this political context. Accordingly, the Free State government used these Bills to make a clear point, no doubt motivated by Irish nationalist ideals - that British nationals were alien to Ireland.

In the Aliens Act, the Free State defined as 'alien' all people who were not citizens of the Free State: British subjects who were not also Irish were therefore defined as aliens. The common citizenship of the Commonwealth was challenged. Establishing this codified distinction between Irish and British was without doubt a significant achievement for de Valera and his government; it represented the achievement of a distinct nationalist objective - the assertion of Irish difference from the British Empire, and a separation of Irishness from Britishness. Through

legislating for this distinction, defining British subjects as alien to the Irish Free State, de Valera used the Aliens Act to advance his nationalist agenda of independence from Britain.

However, although the Aliens Act defined the British as alien, the immigration controls introduced under the Act allowed for continued entry for British subjects to the Irish Free State. No practical difference was introduced between British immigration controls and the new regime in the Irish Free State. The government did not go so far as to practically enforce this new application of the concept of alienhood to British subjects by restricting their entry to the state: this would have been a step too far for the uneasy relationship between the British and Free State governments. Moreover, the nationalist aspirations for independence held by de Valera and his government in this direction were countered by other nationalist goals, which would have prevented such a step being taken.

Nationalists within the Free State on the whole did not agree that the boundaries of the Free State represented the boundaries of the Irish nation. As discussed in Chapter Five, the Free State boundaries as agreed in the 1921 Treaty were totally unacceptable to a significant minority of the Free State population – those supporting the Republican side led by de Valera in the 1922-23 Civil War. Of those who did accept the boundaries in the 1920s, the majority probably did so in conjunction with Michael Collins' point that Partition as set out in the treaty was a

'stepping-stone' to full independence for all of Ireland. Irish nationalists undoubtedly viewed the achievement of a united Ireland independent from Great Britain as their key objective.

This primary nationalist aim of a unified Ireland limited the extent to which Irish nationalists would be willing to enact immigration controls different from those of Great Britain, let alone immigration controls that actually limited entry rights of British 'aliens' to Free State territory. The establishment of border controls on the Free State border with Northern Ireland, checking the entry rights of Northern Irish residents to enter Free State territory would have undoubtedly angered Northern Irish nationalists, as well as many nationalists in the Free State. Such a step would have been politically highly challenging for any Irish nationalist government. A possible further issue might have been the potential for the British to retaliate by establishing their own border controls, and limit the rights of Free State Irish to enter Northern Ireland, which would have infuriated many in the Free State, especially Fianna Fáil members and supporters. Further, even if such border checks had been approved at a political level, the establishment of such controls along the porous northern border would have been costly, complicated, and quite likely, unsuccessful, given the number of road connections linking the two states.

A further concern for de Valera and his government would have been to avoid overplaying their hand in advancing independence for the Free

State. De Valera tried to establish, as far as possible, *de facto* independence for the Irish Free State within the Commonwealth; however maintaining membership of the Commonwealth was also important. The new Free State Constitution introduced by de Valera in 1937 maintained the British King's status as head of state for the Irish Free State. De Valera himself in his Document No.2 had set out a vision of independence for Ireland within the British Commonwealth. But maintenance of the King as head of state and membership of the Commonwealth were also important for promoting Irish unity; persuading Northern Irish Unionists to join a united Ireland would be politically difficult if the Free State were to leave, or be asked to leave, the Commonwealth. The Free State government was therefore engaged in an intricate dance with the rules and principles of both independence and Commonwealth membership. Eager to carve out as much operational independence as he could, de Valera was at the same time cautious not to provoke the British government into declaring the Free State in breach of Commonwealth agreements and rules. The British government was similarly concerned to maintain the Free State within the Commonwealth, and they adopted the position of allowing the Free State government independence on issues of principle - such as declaring British subjects 'aliens' - so long as the operation of the system did not change in practice.

This explains the extent to which nationalism was important in the development of the Free State immigration controls. However a further,

structural fact was also relevant. Emigration rates from the Irish Free State in the 1930s were high, and the scale of emigration served as a pressure valve on an already depressed economy. The Free State government needed to facilitate the relatively easy entry of its citizens to other countries. If emigrants from the Free State were presented with obstacles in gaining admittance to other states and the rate of emigration were to decrease, this would have created additional difficulties for the government. The Free State therefore could not realistically countenance introducing changes to the existing system of immigration controls, thereby jeopardising the economically necessary high levels of emigration to Great Britain, the major host country for Irish emigrants. Unlike the Dominions discussed in Chapter One, the Free State was not a country of net immigration. As a country of mass emigration in the 1930s, emigration rather than immigration was politically and economically more important to the Free State government. The development of immigration controls could not be allowed to negatively affect the rights of Free State emigrants to enter other states.

This thesis has set out a political context where structural and cultural factors in the development of Irish Free State immigration controls came together in an historically particular and sometimes contradictory way. The initial rationale for the introduction of the new Free State immigration legislation was primarily administrative, to match new citizenship categories then being introduced, rather than being driven by a desire to limit entry to the state. Nationalist objectives, although important to an

extent in the development of the immigration legislation, featured in a very different way than set out in the theoretical literature and empirical examples discussed in Chapter One. The main nationalist aim achieved within the new Aliens Act was the designation of British subjects as 'aliens' in the Free State. However, the structural historical legacy and nationalist aspiration for a united Ireland constrained the extent to which the Free State could assert its independence from Britain through immigration controls. A complete divergence from the previous immigration regime, though potentially theoretically inviting, was not practically possible.

The need to maintain emigration flows from the Free State, and the pressure to stay in the Commonwealth to achieve the longer-term aim of a united Ireland, meant that the Free State government could not realistically introduce immigration controls that were shaped by objectives of protecting the nation. In any case, given the low immigration flow to the Free State in the 1920s and 1930s, immigration rates were not a concern for the population or government. Though xenophobia and anti-semitism was rife in the Free State, there was no significant political pressure to take action through changing the immigration system to protect the Irish nation from the intrusion of outsiders. The expression of nationalist objectives that is apparent in the legislation is more a matter of principle than practice, through the definition of British subjects as aliens to (Free State) Ireland, rather than in the operation and administration of immigration controls. This unchanged operation of the system in practice

allowed British subjects free entry to the Free State; the retention of the existing operational system appeased the British government to the extent that the Free State's position in the Commonwealth remained unthreatened.

The geo-political, historical, and cultural specificity of the 1930s Irish Free State provided very particular pressures on its government in developing immigration controls, and perhaps explains why the immigration controls developed in the Free State did not follow either the empirical precedent set by the Free State's peers in the earlier twentieth century, or the theoretical assumptions regarding immigration controls and nationalism as discussed in Chapter One. The importance of emigration rather than immigration to domestic politics, the post-colonial legacy and geographical proximity of the previous Imperial power, and the contradiction between nationalist aspirations for a unified Irish nation state and the bounded geopolitical territory of the Irish Free State all contributed to constrain the extent to which the Free State government was able to, or wanted to, introduce immigration controls for the sole purpose of managing immigration to the Free State. Other factors constantly took precedence. These four issues shaped a political context within which emigration was politically more significant than immigration, where a working model for immigration policy was inherited from the previous Imperial administration, where the nationalist government of the Free State had, of necessity, to take into account the members of the

Irish nation living in Northern Ireland and also to ensure that the wider position of the Free State within the Commonwealth was not threatened.

This thesis' explanation of the development of Irish Free State immigration controls thus poses the question: do other states that share these political and social contexts demonstrate similar struggles in their development of immigration controls. Are these circumstances particular to the Irish Free State, or do they apply to other examples which lead to the development of immigration controls more influenced by realpolitik than by a desire to protect the nation from outsiders? A particularly interesting comparison could be made with other states where the primary national or ethnic group is not fully resident within that state, or where a high net emigration rate might require the government to maintain a principle of reciprocity in immigration controls, even if this meant that people who might be otherwise considered 'unassimilable' or undesirable were permitted entry. A further avenue for research would be among other post-colonial states, where it could be expected that the freedom of the new colony to set its own legislative agenda might be limited. Indigenous colonies, rather than settler societies such as the British Dominions would, it might be argued, form a good basis for comparison in this instance.

Historical Sociology, Morphogenesis and Case Studies: Reflections

Having drawn together the conclusions for research and theory on immigration controls and their implications for future research, the rest of

this chapter considers the research process used to generate these findings. An important feature of this thesis has been its development of a distinct methodological approach to address the problems arising from this research issue. The thesis has adopted an historical sociological approach, using morphogenetic social theory to structure the historical analysis and case study methods to ensure that findings from the in-depth study of the single case can also be used to generate findings of potentially wider application. What has this methodology meant for the research process? What might have been different or lacking without this perspective? And what have been the difficulties involved in applying a morphogenetic approach to this practical research process? These issues are addressed below.

The thesis was informed by sociological theory and comparison, but focussed on an historical process, using historical evidence. The object of the research was a complex social change, focussing on the development of a new policy over time. The study was implicitly comparative. Although the thesis focussed on the case of Irish Free State, the research problem was developed through comparing the Irish Free State with other examples of immigration controls. A reading of other empirical examples and the social theoretical literature suggested that an analysis of the interaction between structure and agency was required to adequately explain how the Irish Free State immigration controls were shaped. Ultimately, the aim of the thesis has been to generate an explanation of how the policy was produced and why it did

not take another form. The research problem, addressing the motivations for social action, touches on issues at the heart of sociology and social science in general. Outhwaite, for example, highlights how Weber defined sociology as "a science which aims at an interpretative understanding of action in order thereby to understand its cause and its effects" (Outhwaite, 1998: 23 – 24).

In combining sociology and historical approaches, the thesis set out to make its sociology historical, but also to make its use of history more sociological. The use of a macro level social theory in morphogenesis structured the historical research and analysis; it provided conceptual tools that were used in organising the evidence, and for the description of the particular historical detail in the case study analysis. The detailed historical analysis then generated findings that could feed into the middle-range sociological theory of immigration controls and nationalism, and so elaborate and refine it. The macro-level social theory was used to highlight to the researcher what to look for in advance of the analytical process, guiding and directing the conduct of analysis in a rigorous and coherent way.

The marriage of morphogenesis, historical case study methods, and narrative analysis in this thesis has delivered a research study that met the challenge of drawing out the underlying causal processes in the development of Irish immigration controls. This dual use of narrative, focussing on particular historical processes while simultaneously drawing

out a generalizable sociological explanation is evidence of its flexibility as a research tool (Baumeister and Newman, 1994). Linking narrative and case study methods enables the researcher to get to the heart of causal processes. This highlights the importance of the application of the morphogenetic social theory to the particular historical context as key to developing a wider explanation of social change

Using the morphogenetic framework as a model, the researcher can penetrate and gain insight into the workings of the social world. As Harré notes "in many ways the use of models is the most powerful way of coming to know the social world, or at least research relevant aspects of it" (Harré, 1998: 45). The high-level morphogenetic theory structures the analysis of the single historical case, so that findings from this single case can be rendered generalizable through the use of common analytical concepts and tools.

The morphogenetic framework, although complex and perhaps linguistically unwieldy, is valuable in its facilitation of a detailed and coherent analysis of the social world. It facilitates research that highlights the multi-layered and complicated nature of the social world, but also within this complexity, enables an analytical discipline and coherence that can yield full and comprehensive interpretations. The analysis in Chapters Six and Seven above provided an explanation of why the Irish Free State government was profoundly limited in its capacity to act independently, firstly by its structural relationship with Britain and the

Empire (although this structural relationship was constantly evolving and changing due to action on the part of the Free State), secondly through cultural influences such as a belief in the Irish nation and a desire for Irish unity, and thirdly, by the activity and interests of the British government.

Arguably, this analysis simply constitutes historical research, which could be generated by other approaches and methods. However, it can be argued that a morphogenetic research approach facilitates and enables the type of qualitative, causally focussed research process and analysis used in this thesis, and which is intrinsic to historical sociological research. It is a particular research tool whose value lies in enabling the researcher to identify and define the relationships between structures and agents that underpin the detail and complexity of the social world in general, and complex social processes in particular. Historical data can be overwhelming, and identifying both the significant structural and cultural emergent properties, and the structural locations and vested interests of agents and actors, helps the researcher to penetrate what can appear a complex and interwoven ontology. Social science involves understanding a world that is not subject to our theory of it. Using morphogenesis facilitates an in-depth analysis of social processes, rejecting surface explanations of social change.

Archer notes that "some concepts are better than others for portraying reality and that the nature of social reality itself imposes limits on its conceptualisation" (Archer, 1998: 71). The focus on agency and social

activity in the development of immigration controls is an important feature of this thesis. Through focussing on how actors mediate the structural and cultural influences surrounding them, a complex and nuanced account of policy development was produced, highlighting the articulation between different cultural and structural properties. The comprehensive and complex conception of agency in morphogenetic theory has been possibly its most valuable contribution to this thesis. To understand a process, the researcher needs to pay attention to how agents negotiate the social world and are constrained by different cultural and structural properties in what they do. Focussing on the particular locations of key actors such as de Valera and the British government within the structural and cultural realms, and the different vested interests that cluster around these positionings facilitated an explanation of activity that has taken into account the varying and sometimes contradictory influences that came to bear on developing the Irish Aliens Act 1935. For example, without an emphasis on the importance and complexity of agency, a simplistic analysis of the reason for applying controls' similar to British legislation in the Act could have been drawn by concluding that post-colonial structural relations between the two states had resulted in a replication of the British system in the Free State. This would not have explained the dissimilarity of the Free State's system from that of the British Dominions, and would have masked a highly complex and nuanced causal account, which was reliant, arguably, on a complex and nuanced conception of agency.

Importantly, however, although the morphogenetic framework places agency at the centre of the research effort, there is no consequent lack of understanding of the importance of structural contexts in shaping social activity. Agency is located in particular social conditions, and is shaped by these in its ongoing process of shaping the social world. Through applying the morphogenetic framework to analysis, by identifying the key agents and their situational contexts and vested interests, the thesis has developed an explanation focussing on how how agents' potentially contradictory interests are played out, and why the influence of one rather than another is followed (for example, highlighting how the impulse of establishing an independent Irish immigration policy might be damaging to another impulse of achieving Irish unity).

Notwithstanding its value in enabling a rigorous and disciplined analysis of the messy complex and intricate social world, the are still some challenges that arise when applying a morphogenetic approach to empirical research processes. It is difficult to apply the morphogenetic framework consistently throughout the research process. I have found value in using it to assist in clarifying ideas and concepts at the beginning of the research process. For example, the original question about the influence of national identity constructs on immigration policy was reformulated as a question about the relative influence of cultural emergent properties and structural emergent properties on those agents formulating immigration policy. This initial dressing of the research question in morphogenetic terminology enabled me to almost immediately

identify issues that might be relevant in researching this problem. How are agents situated? What are their vested interests in the process? How do individuals' different locations as one of a group of agents, or as a social actor, come to bear on their actions and decisions? Defining my question in morphogenetic terms provided a key to unlocking the complexity of the social world and reconstructing it in an analytically distinct, coherent and methodologically useful way.

The morphogenetic framework is also of immense value at the endpoint of the research process, in analysing the findings. Its structuring and ordering of the multifaceted features of the social world assists greatly in developing clarity of focus and interpretation. The evidence generated can be fitted into the morphogenetic ontology for comparison with other examples; the general analytical concepts and morphogenetic toolbox enable the researcher to make comparisons across sets. However, it is a retroductive technique – evidently an adequate explanation can only be produced when a reasonable amount of information is gathered. To an extent, it is assumed that the relevant emergent properties and agents can already be identified by the researcher. Certainly, Archer's expositions of morphogenetic analysis in her texts are made with the benefit of hindsight, after many years of research and evidence being generated on issues, such as education and employment. Once there is a decent quantity of evidence amassed, it is feasible to apply morphogenesis retrospectively and to order the research findings according to a morphogenetic structure. However, when beginning a

research process, and particularly through the actual process of generating evidence, it is by no means clear what the relevant cultural and structural emergent properties and agents might be.

Morphogenesis then, is not on its own adequate for generating causal explanations. The macro-level theory of social change needs to be combined with more focussed middle-range theories that present the researcher with interpretations of the particular social change that is being investigated. Within this thesis, the theoretical assumptions linking nationalism and immigration controls identified a cultural emergent property of key interest before any analysis had taken place. However, even with this middle-range theory also informing the analytical process, the process of analysing and interpreting the evidence is not always clearly laid out. For example, in this thesis, it seems that Free State immigration controls were not causally influenced by aims of protecting the nation, in the same way as other Dominions' immigration controls were directly shaped by this motivation. The implication therefore was that other emergent properties would be influential in shaping the Aliens Act, but it was not evident what these might have been.

The actual process of gathering evidence and generating initial findings was not structured by a morphogenetic framework: nor was there any guidance on how it might be. Archer, noting this, comments that the type of theorizing (non-conflationary) entailed in morphogenesis "holds considerable promise for dealing with major social issues, past and

present, but it is not an open sesame which can dispense with the need for considerable work of theoretical application from the substantive specialist" (Archer, 1998: 84). The research process itself was therefore a typical qualitative approach, whereby all documents relevant to the process were reviewed and evidence was analysed with a view to generating themes which were then post-hoc categorised according to different influences. To a great extent, the research process still relies on the researcher and their experience and knowledge. The morphogenetic framework is a useful pre- and post-analysis interpretive tool, but it does not assist the researcher in the practical research process of generating and identifying relevant evidence.

Lastly, and perhaps less importantly, the morphogenetic approach is unwieldy to use. Its terminology is complex and technical; if applied throughout a research document it would render the analysis almost unreadable, with regular citings of cultural emergent properties, structural emergent properties and agential emergent properties. Although shaped and structured through a morphogenetic framework, the narrative interpretation used in this thesis has omitted the morphogenetic terminology. This potentially reflects the points made above – a morphogenetic framework is useful as an analytical tool underpinning and shaping the analysis. It is also very useful in identifying the potential for generalisability of findings through associating specific historical events and features with macro-level sociological concepts. It is, however,

difficult to explicitly apply it either in the research process itself or in the narration of research findings.

The morphogenetic perspective still requires a great deal of input and effort from the particular researcher taking forward the study. Carter notes that the "epistemological difficulties encountered in developing realist accounts of social causation and social relations are sometimes underestimated in realist work" (Carter, 2001: 171). Applying morphogenesis as a guiding framework does not overcome the inevitably subjective nature of the research process to produce an objective truth. May, among others, notes the limitations of our knowledge as social scientists, and poses the question "How are the interpreters authorized to make such pronouncements?" (May, 1998: 159). Outhwaite, notes that "social scientific knowledge is very often less precise, less secure, more disputed and less cumulative than knowledge in the natural sciences" (Outhwaite, 1998: 31). Realist or morphogenetic interpretations are no less vulnerable than other types of social scientific knowledge, and do not provide a magic bullet enabling the researcher to assert their ultimate validity.

What the morphogenetic approach does lead to though, is an explicitly theoretical research process, which renders it highly appropriate for sociological history. Applying the theoretical constructs to an historical case study analysis both makes this analysis more widely generalizable, and also makes evident to some extent, the ontological and

epistemological assumptions of the researcher. By laying bare the tools used to construct it, the research process is identified as precisely that – a research process. The creation of a grand narrative, potentially overstating the validity and objectivity of the research and findings, is made more difficult when explicitly applying a particular research theory, which is so evidently based on a particular ontology of the social world. Archer acknowledges this, noting that "the whole notion of analytical histories of emergence has to transcend a fairly common tendency to regard the narrative and the analytical as standing in opposition to one another, which is exactly the opposite of what is being proposed here" (Archer, 1995: 343). What is in one respect a practical difficulty in applying morphogenesis is also a reminder, both to the researcher and the reader of the processes involved in developing an interpretation of structural and agential interaction.

Conclusion

The social world is complex; analysis of its processes no less so. Using morphogenetic historical sociology as a methodology facilitates a detailed analysis of social processes. The analytical separation of structure and agency, and in particular the multi-faceted conception of agency in morphogenesis, assists the researcher in analysing and understanding, and subsequently explaining, social change. The use of the morphogenetic cycle to structure historical analysis provides the researcher with powerful explanatory tools, and a model for mapping from the particular to the general. In this thesis, its application has

demonstrated that an assumed link between nationalism, state formation and immigration controls cannot be taken for granted. The findings presented here can alert other researchers, particularly those studying post-colonial states, to the importance of paying particular attention to prevailing sociological explanations (which are often derived from the examples of imperial powers or Dominions) for these special cases, whose contexts of state formation and nationalism are fundamentally different from those of the states which have been more thoroughly researched in this field.

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